NAVAL DISCIPLINE.

SUBORDINATION

CONTRASTED WITH

INSUBORDINATION:

OR, A VIEW OF THE

NECESSITY FOR PASSING A LAW

ESTABLISHING AN

EFFICIENT NAVAL DISCIPLINE

ON BOARD SHIPS

IN THE MERCHANT-SERVICE;

COMPRISING

A VALUABLE RECORD

OF OCCURRENCES ON BOARD VARIOUS SHIPS;

EVINCING

THE ADVANTAGES ARISING FROM GOOD ORDER ON THE ONE HAND, AND THE DISASTERS ATTENDING THE WANT OF IT ON THE OTHER.

BY CHRISTOPHER BIDEN,

Late Commander of the Honourable East-India Company's Ships Royal George and Princess Charlotte of Wales.

"SANS PEUR ET SANS REPROCHE."

LONDON:

J. M. RICHARDSON, 23, CORNHILL.

1830.

My plan having been known only to some few of my brother officers, and the information having been gleaned from various and uncertain sources, precluded a due attention to chronological order, but this circumstance is not material. Most cordially do I tender my best thanks to those friends who have generously aided my researches and thereby rescued from oblivion most important and valuable information, bearing upon naval discipline and the necessity of maritime law. If narration generally remained hidden in cells and closets, even the boasted march of intellect would sound a retreat, and be on the retrograde.

I cannot submit this production to the public eye without, in so doing, apologising for my seeming boldness.

Recent occurrences have created a general feeling, that the discipline on board the Honourable Company's ships is both unnecessarily severe and wantonly exercised, which I consider conveys a reflexion upon the humanity of the commanders and officers belonging to that service, strongly calling for a word on their

side the question. Many abler champions might have stepped forth, though none more willing; but they who can best advocate such a cause are silent; I therefore trust that my humble but zealous effort, although it may be classed among the BAD, will at least be deemed better than none.

The publication of this work has been delayed a few days, in consequence of the pending trial of the seamen belonging to the Honourable Company's ship Inglis, and others, at the Admiralty Sessions; but the interval has been usefully employed, as will be seen by the contents of a valuable Appendix.

Blackheath November 5th, 1830.



SUBORDINATION

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ETC. ETC.

CHAPTER I.

A Preliminary Inquiry into the Causes of Insubordination which now prevails throughout the Merchant-Service of England.

"The best temper of minds desireth good name and true honour; the lighter, popularity and applause."—*Bacon.*

"A scorn of flattery and a zeal for truth."—*Pope.*

The anomalous state of the merchant-service has been brought to a crisis, by the unprecedented occurrence of a fleet of Company's ships being sent, under convoy, from the island of St. Helena to England, during a season of profound peace. This circumstance excited great attention throughout the mercantile community, and every where was surprise manifested, so soon as the reports from the Thames Police, under the head of "Mutiny on board

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the Honourable Company's ship Inglis," &c. gained publicity. A subsequent examination, at that office, inflamed the public mind, and numerous bodies of seamen were seen parading the metropolis, and distributing placards, containing their opinions, *appealing* to the voice and support of their countrymen.

The press teemed with acrimony; letters were published, breathing rancorous feelings, hostile to the Company's service; and there appeared but one view of the case—but one side to the question. It remained to be considered whether a body of men, having pretensions to the feelings of gentlemen, as being associated to no other class of society, were to be borne down by the torrent of invective, and thus unjustly and vindictively slandered, for the alleged misconduct of some few of their brother officers. All felt this wholesale malevolence; and every one declared the necessity of refuting such calumny; yet many, more equal to the task than myself, as well by innate talent as ability that would do honour to any subject, have omitted to wield their ready pen.

It is to be regretted that the public has lost the powerful advocacy of such talented men; and it is only under the impression that, if all slumber at their post, the cause of discipline, on which hinges the commercial prosperity of our country, must irrevocably be lost, that I venture to avow principles which I know generally prevail on this

vital subject. Under this feeling, and actuated by ardent zeal for the merchant-service in general, I hope no farther apology is necessary than what I thus candidly avow. The following pages are dictated by a desire to publish such statements to the world as will bring conviction to every mind, how truly essential it is to the maritime interests of Great Britain that a full and impartial inquiry into the causes of such total insubordination in the merchant-service, as have partially been made public, should not be delayed, towards the consideration of which the facts hereafter disclosed will be found useful. This being admitted, it remains for the people of England to do their duty, and, in place of a clamorous hue and cry against officers indiscriminately, to stand forward and assist in supporting the best interests of their country, by maintaining that proper discipline, through the due exercise of which the honour and integrity of her commerce can alone be upheld. Without discipline on board our merchant-ships, the manufacturing and commercial interests of Great Britain will eventually be materially injured; while conduct that involves the safety of life and property cannot but prove fatal to our naval supremacy, shake the dignity and stability of the throne, and lower that proud Union of Great Britain which has so long waved in triumph through every region of the world, the emblem of that gigantic power which saved itself

by its firmness, and the rest of Europe by its example.

Imprimis:—Let the mercantile interests of this great country, guided by the practical experience of British seamen, petition the House of Commons to receive evidence at the bar of their House, by which the imperious necessity for framing a Code of Maritime Laws for the Merchant's Service may be inquired into. The collective wisdom of Parliament will, no doubt, devise the best and safest mode of ameliorating the condition of seamen, of administering to their wants and comforts, and of protecting them from that plunder and extortion which the horrible system of crimping never fails to produce, and which tends to degenerate, debase, and demoralize their character.

In the following pages it will be my endeavour to illustrate the important subject of maritime government, by a few authenticated statements, of which I am in possession, conceiving them to be sufficient evidence of the urgent necessity that exists for an immediate remedy. But one opinion, as to the imperious demand for a controlling power, pervades the minds of all the mercantile men with whom I have conversed; though too many officers in the merchant-service feel great repugnance against publishing the unpleasant occurrences under which they have been sufferers. Rather, say they, let them be hushed; why rip up old grievances?

The feelings which dictate such sentiments are, no doubt, amiable in themselves; but, surely, that superior motive, that noble sense of public duty, which bids every British sailor watch over the honour and welfare of his country, ought to produce a different result. Permit me to add that, should genuine patriotism decline, as discipline appears to have unhappily done at this crisis, the natural bulwark of our renowned country will be of short duration. The outworks of those noble principles which led to all our victories by land and sea have already been surrendered; and now we are called upon to haul down the colours, to give up the vessel of discipline, and disgrace our flag, by blending its splendid glories with all the radical tints of revolutionary phrenzy. Examples of the foulest outrage that ever disgraced the flag of any nation are published, with views which cannot be disguised, by designing men, who, from some petty cause of discontent, yield their private feelings at the shrine of revolt and treason.* The

* The mutiny which consigned two frigates to an enemy's port should be held as an example to all future ages for universal detestation. Is tyranny to be made the plea for piracy, for murder, and treason? I am glad to find the editor of a very influential paper has discovered he was led away by the subject. (Vide Appendix.) No argument can in any way palliate the demand that sailors should judge and act for themselves; let tyrants be punished, but never let us sanction their acts as a cloak to disgrace the flag of our

baser passions of men are roused, in this age of extraordinary excitement, when the march of intellect dictates the sovereignty of brute force: thus treasonably directed, doctrines are broached, having the most fatal tendency, subversive of all order, and good government, and hurling to the brink of destruction the noblest institutions in the universe.

Not an Indiaman leaves the port of London without great risk of losing some of her crew, although all have bound themselves, by a legal *tenure*, to perform the voyage, and have received, in advance, two months' pay. I can speak, from experience, on this subject, and can bear witness to the insults and threats which officers have sustained from their vigilance in preventing the double crime of desertion and robbery, which has increased in so great a degree, as to render the employment of police-boats requisite.* Scarce an Indiaman performs a voyage without having impostors on board; some of whom

country. The strong and firm measures adopted by Earl St. Vincent, when the mutiny extended to his fleet off Cadiz, effectually subdued the alarming spirit which was then raging with such violence.

* Several desperate attempts to desert have been made: two seamen belonging to an Indiaman deserted, in the Lower Hope, and stole the ship's boat; the chief officer hailed and warned them of the consequences, and ultimately shot one of the men. The case came immediately before the civil power, when the officer was most fully acquitted: this happened in the night.

have been discharged from hospitals as incurable, and, by fraud and deceit, have successfully enrolled themselves amongst the crew. Some produce forged certificates, and, in the hurry of the moment, are impressed as able seamen: in a few days, they are found ignorant of every part of a seaman's duty, and yet we have no remedy! These plundering villains, who do not earn their salt, yet draw their full allowance of provisions, are the most prone to insolence and insubordination: often they endeavour to excite the anger of an officer, in moments of great irritation, with a view to *law* and future *damages*; and, on their arrival in England, claim the full amount of seaman's wages. Are these doings equitable? Why, then, let me ask, are owners of ships to be liable to such iniquity, without a remedy, while persons on shore can, at all times, punish imposition, and easily defeat the attempts of the cheat and plunderer?

During my experience, of twenty-eight years in the Company's regular service, I have been witness to the most disgraceful scenes, and to the most daring violation of all law, human and divine. I have known miscreants, the scapes of jails, and the very refuse of the vagabonds who infest the streets of this great city, guilty of stabbing, theft, and other heinous crimes, on board ship, escape by *flogging* only, when, at the Old Bailey, a halter would have been their fate. So much

for what is called tyranny on board ship. However, as a proof that the laws of our country are too sanguinary, some of these debased characters have been reclaimed.* I have seen the burst of mutiny quelled at once by that happy union of firmness and self-command, for which many characters are so highly distinguished; and I have been present, at times, when the tide of disaffection has been turned from approaching mutiny, by the better feelings of a portion of the crew, aided by the restraint which resolution and discernment had judiciously introduced. I will now turn from the gloomy prospect before me, and point to more gratifying scenes, such as, I hope, will be renewed under the highest auspices. The experience of some years has shown me that the dignity of command is perfectly compatible with that condescension which instils the pride of duty and the cheerfulness of obedience, and which, by a due attention to the comforts and happiness of all

* A seaman, named Morrison, who had been sentenced to suffer death as one of the mutineers of the Bounty, was recommended to mercy, and pardoned. That great officer, Lord Hood, who presided at the court-martial, received him on board the Victory. After serving as a petty officer some time, Lord Hood promoted him to be gunner of the Lutine frigate.

Another person, under similar circumstances, was reclaimed by the intercession of Sir James Saumarez, served under that distinguished officer at the battle of the Nile, and fully redeemed his character

on board, excites zeal and alacrity, and blends the severity of discipline with the pleasures of recreation; in a word, it is possible to turn out the hands to dance and sing, to reef or to make sail, and inspire the glow of happy feeling by one and the same impulse. Let it not be supposed that the stern advocates for order and regularity are opposed to harmony. God forbid!

I wish I could continue to look at the bright side of the subject only. But there are gathering clouds: the sun sinks 'mid a reddening sky, which, though it illumines the distant horizon, portends approaching danger: all appears tranquil; but, to the skilful eye, these signs are the precursors of a storm. The tempest gathers,—"it comes, resistless, o'er the foaming deep:" the once clear spot upon my canvas must now be filled with rocks, shoals, quicksands, upturned by the great and terrible convulsion, which, as a faithful artist, I must delineate in their true and undisguised colours.

It is painful to have to relate that two horrible cases have lately occurred in homeward ships, and within the port of London. The one, under my own eye, in which a body of ruffians were actually forcing a cabin, armed with handspikes and crowbars, with the most barbarous intentions against the person of the third mate. By the great firmness of the chief mate and officers, gunner, and carpenter, they were repulsed, and the ringleader

put in irons. Another ship, lately arrived, was the scene of an attempt still more horrible: the grindstone was ready to lash to their victim, who they intended first to mutilate and then throw overboard; but, fortunately, he escaped their diabolical revenge, was lowered from a stern window, and sought refuge in the country for some time.* This disgraceful affair was reported to the Court of Directors, and why such a crime as this, or those which are too frequently committed on board the Company's ships escape with impunity, is truly unaccountable. The trials of temper officers have to encounter almost exceeds belief, and it is a matter of astonishment how discipline has been maintained at all, or the safety of lives or property been upheld, under the abuse that has been lavished on those in command, on all occasions, without producing some dreadful crisis that must have compelled the consideration of such a plan as would be most likely to defend the rights of the seaman on the one hand, and maintain the just authority of those in command on the other. We may console ourselves that no lives have been lost in the struggle made by the advocates for good order; but, unless a remedy is speedily applied, the consequences of present insecurity may be more

* It is due to both the officers I have alluded to, to remark that no just cause existed for such daring violence: an impulse merely of brutal outrage which sought the first object on whom they could inflict the revenge they had determined.

terrible than all the mutinies and piracies which have ever yet disgraced human nature. Those who have seen the muster of an Indiaman's ship's company, after pay-day, below Gravesend, have felt astonished how it was possible to navigate a ship of such burthen with such a medley crew; and, so far from the Company's service deserving the character of tyranny or undue severity, the paucity of proof is the surest test that a skilful union of judgement and discipline has alone preserved, for so many years, the ships, in the employ of the Honourable East-India Company, in a state of efficiency and good order, fit for any service, in peace or in war: that this is the fact I need only appeal to many officers in His Majesty's army and navy, who have had frequent opportunities of judging of the merits of the service.

Scarcely an Indiaman arrives in the port of London but some disgraceful scene ensues, the crew imagining the sight of the British shore to be the herald for revolt. The influence of inflamed passions, excited by Jew crimps, land-sharks, and pettifogging lawyers, who crowd alongside, and, at times, steal on board, the moment a ship is at anchor, or within the port of London, produces this dreadful effect. I appeal to the pilots and Company's clerical officers, who must be unbiassed spectators, not having been the voyage, for the truth of this statement; and, in fact, Mr.

Clippendale, the pilot of the Princess Charlotte of Wales, was present when a spirit of this daring kind was evinced by some of the crew, though quelled by the ringleader being seized and put in irons. These practices, within the reach of the civil power, are more serious than many persons are aware of;* which, if not checked by a salutary control, will lead to bloodshed; for, is it to be endured that commanders and officers, entitled to respect, and who, for a long voyage, have piloted the ship through every difficulty and danger, are to be insulted and assailed with impunity, by men, who, if they have *real grievances* to complain of, are within the reach of the law and justice of their country? When revenge, brutal outrage, and every other lawless vengeance has been lately increasing, there can be but one opinion that the gratitude and noble spirit of emulation which once adorned the character of British seamen, are fast sinking, I fear, for ever.

During my first voyage in the service, on board the Royal George, our crew were, with very few exceptions, veteran seamen. I remember, during severe weather in the Channel, in January, 1803,

* The river-pilots can bear witness to the prevalence of this serious evil, which may be followed by fatal consequences, if not subdued by the ship-owners, whose duty it is to protect their officers. I have been put to greater trials of forbearance in the river than through a whole voyage

one of the main-top men was found skulking on the middle watch. The watch was no sooner relieved than, with the sanction of the officer in charge, the culprit was seized and punished, by cobbing, a summary mode of punishment formerly in practice, to prevent petty crimes, which were then rare. This very ship's company were actuated by the same generous regard to their own character, which, on two remarkable occasions during that voyage, they nobly upheld; the one during a hurricane, the other the defeat of a superior enemy. One instance I will relate, viz. during the day and night we lay at our quarters, the following disgraceful circumstance occurred: a locker in the third officer's cabin was plundered of a few bottles of cherry-brandy, which, by the way, he ought to have taken better care of: the thief was detected. We had no sooner tacked, after several hours' chase of the French admiral, than a request was made by the crew to punish the offender; he was seized for the purpose, and, but for the kind interference of the officers, would have received a severe punishment. Of late years, I have rarely witnessed such honourable feelings among seamen, as these men were actuated by, from a sense of honour and dread of degradation; most of them are still fresh in my mind's eye; they formed, in my estimation, that intrepid, fearless character which was at once the pride of their country and the terror of their foes, as thus admirably portrayed by

G. A. Stevens:—"Here is the head of a British tar, and while England can man her navy with thousands of his spirits, the threats of her foes are vain. Here is a man who despises dangers, wounds, and death; he fights with the spirit of a lion, and, as if (like a Salamander) his element was fire, gets fresh courage as the fire grows hotter; he knows no disgrace like striking to an enemy's flag; no reward so ample for past services as a wooden leg; no retreat so honourable as Greenwich Hospital! This brave tar saw the gallant Farmer seated on his anchor, his ship in a blaze, his eye fixed on the wide expanse of waters round him, scorning to shrink, waiting, with the calm firmness of a hero, for the moment when he was to die gloriously for the service of his country."

I should belie my own long-cherished respect and regard for the genuine character of a seaman, if I omitted to state my belief that we have yet many of the same undaunted spirits which led Nelson alongside the Spanish Admiral's barge, in the Bay of Cadiz, under the Mole, at Santa Cruz, followed him in, boarding the San Josef and San Isidro; and whose courage grew hotter at the matchless battle of the Nile, excited by the glorious blaze of L'Orient, and equally inspired by the generous call of their heroic chief, who, though wounded, rushed from the cockpit, at that noble impulse, which is so beautifully exemplified in the words of a celebrated vocalist—

"Mark our last broadside; see, she sinks! down she goes!
Quickly man all our boats, boys, they no longer are foes;
To snatch a brave fellow from a watery grave
Is worthy of Britons, who conquer to save."

The groundwork of complaint, and the source of the growing evil, is the degeneracy of many who are denominated sailors, whose characters are a foul reproach to such a distinction, the better feelings of whom have been destroyed by the vile profligacy of a horde of heartless crimps, whose business it is to make their victims subservient to all their degrading and mercenary propensities. Some of these abandoned characters, so tutored, mingle with every ship's company, poison the minds of their shipmates, and are the source of every breach of duty; and it is my firm opinion, that, unless this horrible system is destroyed, or powerfully assailed by a firm and vigorous hand, the wisdom of the senate will not eradicate the primary cause of discontent and the consequent train of vicious habits which eventually undermine the character of seamen, who, being robbed of their hard earnings, reduced to misery, dragging out a few short-lived days of riot and drunkenness, are forced to sea by the imperious mandate of the crimp. Thus debased, they curse the very country that gave them birth; bitter remorse ensues; they return to a home, which ought to have been longed for with all the eagerness that clings to

domestic happiness ; but the crimp again intervenes. Alas ! how bitter the fruit of all their toil: these merciless bands, ever ready, and keen as the wolf for his prey, pounce upon them, swear debts and claims against them ; frequently sending their credulous victims to a prison, releasing them only on assigning their hard-earned wages to discharge these unjust demands. Grog and the fiddle drown Jack's cares, and, in less than a week, he is again on board ship, to brood, again and again, over his hapless state. This is by no means an exaggerated statement, and all the horrors of impressment, tyranny, foreign prisons, or shipwreck, cannot exceed, in their catalogue of sufferings, what has been endured, and what *is endured*, by English seamen, whose improvident nature induces them to seek shelter, and associate with vagabonds, and to be strangers to the happy enjoyments reaped by their countrymen in this favoured island, where freedom and happiness should be within the reach of all.

It is to be lamented that partial statements have gone abroad relative to the transactions on board several of the China ships, lately sent home under convoy of his Majesty's ship Ariadne, from St. Helena, by the express order of the Governor of that island, who also dispersed the disaffected men, belonging to the Inglis, among the several Indiamen of that squadron. When serious causes appear to the public to demand inquiry, redress, and justice, how are

the scales to be held with an even hand, if torrents of abuse and bitter prejudice prevail over truth. The alleged grievances of these seamen will speedily be brought before a jury of their country, and every impartial person must regret that so little caution has marked the approach to that tribunal, which cannot but lead to important results, both public and private!

In common with all who impartially glance over passing events, and especially those who have practical knowledge to guide their judgement, I deeply lament the serious evil arising from the ex-parte statements, in the newspaper reports, tending, as they inevitably must, to excite an undue prejudice on the mind of the public, and may have an undue effect on the minds of the jury. To stem the current of injustice, I shall merely state my opinions, which are likewise those of the mercantile community, guided by facts and experience; and the few remarks I shall offer, on the case of the Inglis, will be governed by a desire to check the tide of clamour and falsehood, which has been resorted to in this case: yet it is necessary to premise, that a laxity of discipline, imposing the necessity for resorting to severe measures for the preservation of good order on board the China fleet, when it is remembered that those ships lay at anchor, only occasionally getting under weigh

to exercise their crews, without any other object in view, for three or four months. To this state of indolence, without other employment than washing decks, &c. may, in a great measure, be attributed the spirit of insubordination which was displayed on board the Scaleby-Castle, in China; engendered there on board the Inglis, though its ungovernable fury did not break out on board that ship, until its arrival off the Cape of Good Hope: but let me here observe, that no squadron of men-of-war could have evinced a more honourable display of promptitude and energy than was evinced in the intrepid conduct of the commanders and officers of that fleet, who answered the signal of mutiny, flying at the mast-head of the Scaleby-Castle, by the simultaneous movement of armed boats, manned from each ship, and boarding on all sides the disaffected vessel, although the crew lowered or cut down her ports, and showed every disposition to resist when boarded.*

The foul language complained of by the Editor of the Times, and in the Appeal to the British Nation by the Crew of the Inglis, however reprehensible, is so habitual among seamen, even in their

* I have the first authority for stating that the China fleet of the last season was in a very superior state of equipment and order; such as would do credit to any fleet of men of war.

hours of recreation, that I am fully justified by declaring that this head of grievances is an artful plea, caught by insidious and designing men, who, under the veil of pretended humanity and zeal, launch forth their hypocritical repinings, for sinister purposes. Nor can it escape the notice of a discerning public, that a renowned and Rev. Boatswain is the leader of this display; and with his worthy associates, leagued by the most selfish views, fan the flame of discord.*

Let it not be supposed that I deny to the advocates for mercy and forbearance, in their benevolent views in favour of the improvement of the condition of soldiers and seamen, the merit that is justly their due. All that I contend for is, that naval discipline must be subservient to promptitude and energy, for there are times when one moment's indecision would lead to loss of life and destruction of property, which a summary method of coercion, capable of being legally inflicted, can alone prevent. How can such men, even when under the guidance of consummate talent, impartially pass

* To such characters we may justly apply the following quotations:—

"A popular man is, in truth, no better than a prostitute to common fame and to the people."—*Dryden.*

"His virtues have undone his country: such popular humanity is treason."—*Addison.*

judgement on the causes and effects of discipline? The passions of men, deliberating on so momentous a question, are easily led astray, by prejudice or ill-timed zeal, and is a serious evil, which leads to consequences they did not contemplate. Before any decision is come to, let them appeal to liberal and enlightened men, moving in the same sphere as themselves, who may have been passengers on board men-of-war and East and West Indiamen, and inquire of such persons, who can have no improper bias, whether they have not been witness to the efficacy of flogging on board ship; demand of them whether the exercise of this painful duty has not at once put down insubordination, and restored discipline, succeeded by alacrity, cheerfulness, and respectful obedience. Ask these eligible authorities the state of mind which must prevail on board a ship void of discipline, in which the dread of mutiny and murder is continually present to the mind; ask these persons what are the horrors which, under such a state, are impressed on the tortured feelings of passengers, witnesses of the evil, and whose only reliance is on the firmness of the commander. Suppose, what is frequently the case, that there is a number of ladies and children on board, and the picture is complete. A spirit of disaffection is rapidly increasing on board merchant-ships, and calls upon every well-wisher of his

country to aid in arresting at once so growing an evil. Under this strong conviction, I cannot but lament that one of our preliminary tribunals of justice should proclaim to the world, according to newspaper report, that flogging is illegal, that a sailor may hail a man-of-war, and, in fact, that the daring outrage committed on board the Inglis, is merely a misdemeanour.*

If I am not mistaken, the Thames-police was appointed by Government to protect the maritime interests of the country. How strangely are its principles perverted by such partial opinions.

However, we have the tribunal of a higher power, and our sheet anchor is the legitimate appeal of all commercial classes to the Parliament of Great Britain, and to the judgement and decision of our most excellent King, whose practical knowledge of the character, habits, and conduct of seamen, the skill and discipline essential to the well being of all on board ship, and the inevitable consequences of insubordination, peculiarly qualify him to be our judge. Happily for the great country over which he rules, for the welfare and prosperity of all ranks and classes

* There cannot be a more glaring or a more daring breach of discipline than a sailor hailing a man-of-war: how any person could encourage such an idea, is astounding to every ship-owner and to every seaman; and this proves the necessity of having practical knowledge and experience to aid the legal talent of magistrates who are deputed to examine and pass judgement on naval subjects.

of his subjects, his judgement will be guided by wisdom, experience, and impartiality! Such is the haven we desire. We ask only for a protecting power,* which may dispense justice even handed; proclaim to the sailor his rights and immunities; to the commander his power and authority; the consequences which must follow, if either party break the contract,—if the one dares to disobey, and if the other presumes to abuse his authority.

It is necessary to refer my readers to the decisions of Lord Stowell in the Admiralty Court, to Lord Tenterden, and other high and distinguished authorities, who have acquitted, by their sentence, under the verdict of a British jury, several Commanders of East-Indiamen, charged with having illegally flogged some of their crew.

An eminent author upon the Law of Shipping declares that the Master or Commander of a Merchant-ship is the Chief Magistrate for the time being; and let me now ask those who have not the benefit of actual experience at sea, what resource have passengers, soldiers, and seamen, against violence, theft, and every other crime, to which human nature is prone, if the Commander, under whose protection they embarked, can give them no effectual redress? if he cannot interpose with an efficient and corrective power of control, to what other tribunal has an injured person to make his appeal, some thousand miles from any shore, and with

a prospect of from three to five months in such a durance vile as a ship in this lawless state, where the disproportion of those placed in command, and those whose duty is implicit obedience, is as six to one hundred?

Let those who are very clever at fire-side arguments, imagine a furious mob, armed with bludgeons, within Temple-Bar, and only six to one hundred persons *in authority* to oppose them, and no other *remedy* at hand, no resource of military aid, or accession of civil power. Those men who know nothing of a storm beyond its pelting rage against their windows, or are never vexed in boisterous weather beyond the disappointment they sometimes encounter by not finding a hackney-coach to escape its effects, set themselves up as judges of nautical matters, on which they are as totally ignorant as I am of Greek or Hebrew. They should go to sea and gather truth from experience. It is observed, by the greatest naval hero and patriot England ever produced, "lenity at first is severity at last;" and Lord Nelson, on other occasions, proved that he was a strenuous advocate for the supremacy of naval discipline. Speaking of the interference of some military officers in their temporary service under his command, his Lordship remarks, "there cannot be two commanders in one ship, nor two sets of laws to regulate the conduct of those embarked in the same bottom;" and, yet strange to say,

there have been men, and, probably, some hold the same opinions still, that the hero of the Nile and of Copenhagen—that illustrious seaman, who shed his blood and closed his life in his country's cause—

"O price his country grieved to pay!
O dear-bought glories of Trafalgar's day!
By that pure fire, before his hallow'd tomb
Heroes and chiefs, in valour's opening bloom,
Frequent, in solemn pilgrimage, shall stand,
And vow to prize, like him, their native land;
With pious ardour his bright course pursue,
And bid his blended virtues live anew:—
His skill to plan, his enterprise to dare,
His might to strike, his clemency to spare:
That zeal, in which no thought of self had part,
But his loved country fill'd up all his heart;
That conscious worth, from pride, from meanness free,
And manners mild as guileless infancy;
The scorn of worldly wealth; the thirst of fame
Unquenchable; the blush of generous shame,
And bounty's genial flow, and friendship's holy flame"—

was not a disciplinarian.

I will endeavour to explain this extraordinary opinion. When Nelson's glory had almost reached its zenith, a system prevailed in the British navy, excited by the extraordinary circumstances of the times, erroneously denominated discipline, but which many *now* will bear evidence was one of tyranny, when men were flogged for not reefing or furling with that expertness which some superior

crews could practice, &c. &c., polishing ring-bolts, belaying pins, &c., and at this time the brutalizing practice of starting, in the moment of passion, with a rope's end, was frequently in use. Nelson knew a better and more certain way to gain the love, respect, and prompt obedience of his crew; he knew the direct road to the heart of all under his command.*

Lord Nelson was obliged to flog—painful as was the duty.

Lord Collingwood, a just and humane Commander also, could not support efficient discipline without flogging.

Lord Cochrane had his ship always in the best possible order when an enemy hove in sight; his brilliant actions are the best commentary upon naval skill and discipline. His Lordship possessed the *suaviter in modo* and *fortiter in re*, and could carry his crew, however mixed—English, French, Chillians, and American, inspired by sure and certain hope of conquest and renown—fearlessly, alongside a castle, or a ship of double their force. Witness his matchless exploit under the tremendous batteries of Callao, the capture of the Esmeralda, and the storming of Valdivia; and whilst I take

* Neither the Victory nor Vanguard were what were then styled smart ships: but content and confidence happily prevailed, with sufficient control to make every man do his duty.

the liberty of naming this great and gallant officer, may I add mine to the humble petition of thousands upon thousands of my grateful countrymen, to our most gracious Majesty for restoring him to his rank and well-earned honours? Let me remind my readers of Lord Cochrane's noble and generous conduct, when he captured a Spanish register ship: he gave up his share of the property belonging to an unfortunate Spanish family, passengers in the prize, who would otherwise have been utterly ruined, and his ship's company and officers followed his liberal example. Lord Cochrane's share was from £4000 to £5000.

Whilst speaking of the British Navy, which I never do without great respect, the notion of several correspondents in the Times newspaper, regarding the treatment of seamen on board Merchant-ships, as contrasted with the usages of some partially-selected ships in the navy, merits some attention! Lord Collingwood's for instance; the fallacy of such a comparison is obvious. If his Lordship had any such vagabonds on board as in every Indiaman disgrace her crew, he had a remedy at hand, could send them out of his ship on board any other. Again, the searching discipline of a flag-ship would hold such rogues *in terrorem:* besides, captains and admirals have the point of the bayonet, if necessary, to put down every indication of mutiny, and they have martial law

to uphold their power. Even with this *imperium in imperio*, how many cases of open and daring mutiny have occurred: the Hermione and Danæ frigates carried into an enemy's port. The mutiny at the Nore was of a more general character, a simultaneous display of grievances; but, if my memory does not fail me, the mutiny in Bantry-bay, especially on board his Majesty's ship Temeraire, was a furious outrage, that gave several previous warnings, such as tripping up main-deck and lower-deck ladders when officers were upon them on duty, throwing shot, and making use of the most opprobrious threats and imprecations that can be imagined; had these been checked with timely firmness, the horrors which ensued, and justly consigned the ringleaders to the fore-yard-arm, might have been prevented.* I dwell particularly upon the necessity of a firm and

* The mutiny in Bantry-bay was owing to orders which reached the admiral to sail with sealed orders, supposed for the West Indies. Just after the conclusion of the peace of Amiens, the crew of the Temeraire became disaffected; but, on the trial of the mutineers, not the slightest cause of grievance was alleged in their defence, beyond that daring presumption which first urged these misguided men to disobey the order to "weigh anchor." The blow, which should have been struck at the moment, was parried for seven or eight days, when Admiral Campbell and Captain Eyles charged in among the mutineers, seized them, weighed anchor, and, in company with the squadron, proceeded to Spithead, where the Court-Martial was held.

rigid scrutiny into all the duties of a ship, and assert, without fear of contradiction, that ill-timed forbearance and lenity have been generally abused, and have led to immediate laxity of discipline; the bonds of unity are torn asunder thereby, when contempt, defiance, and mutiny break forth in all their horrors. The searching eye of seamen, when danger summons all to the post of honour, is ever upon their commander,—his every word and action are the index of his self-confidence and skill, on which all rely.

How many situations are there when lives and property materially depend on the promptitude and energetic impulse of the moment, which he who commands must give. Rocks on the lee-bow, the ship on fire,* struck with lightning, or the sudden springing of a leak,—moments lost, on such trying occasions, can never be regained; but unless

* What saved the lives of so many on board the Honourable Company's ship Kent, but the presence of mind of her commander; the noble support of his and the military officers on board: there were some bad characters among her crew who required the curb of discipline to enforce obedience.

Presence of mind and great firmness saved his Majesty's ship Juno, Sir S. Hood, from being captured under the batteries of Toulon.

Presence of mind decided the moment when to board the Chesapeake, and Sir P. Broke performed the most splendid achievement during the American war by discipline and valour.

his firmness and self-command can impart that thorough reliance which discipline can alone inspire, his single-handed efforts must fail; hope will be lost in despair, and the horrors of shipwreck or foundering at sea will be drowned in fruitless and dismal reproaches and regrets at the miseries which follow a state of insubordination;—in a word, danger and difficulties, which seamen only know, and they alone can tell, are the test of order and well-regulated discipline.

Those who form their opinions of a sea life by crossing the Channel, or a voyage to the Mediterranean in the summer months, or running down a trade-wind, are, indeed, but little experienced: place them amidst the dangers I have described, and then ask their opinion; but, most of all, on board a ship in a state of mutiny: if they survive this, a candid opinion may be expected, resulting from dear-bought experience.

It is impossible to avoid noticing the contradictory opinions which have, according to the report in the newspaper, issued from the Thames Police-office.—"Who can decide when doctors disagree." One magistrate issues his warrant, declaring that he cannot imagine such a state of things to exist on board a merchant-ship as to require flogging. Again, a case is dismissed, the magistrate declaring the man convicts himself of great insubordination, and

must have been guilty indeed to deserve such a severe flogging!!!

Even the laboured address to the British Nation, by the Crew of the Inglis, exposes an insolence and contempt for control totally at variance with good order and regularity.

It is in evidence that the crew of the Inglis dictated to their commander and officers; that the ringleader excited his shipmates '*away to the arm-chest;*' and that another touched the Captain, telling him, " Here's three cheers for you, by way of *defiance!*"

There can be but one opinion as to the heinous misconduct of such inflammatory language and manner: the ringleaders merited the most *exemplary punishment*, and I fearlessly assert that, if infamous conduct like this is not denounced by the strong retributive hand of justice, the most serious consequences are inevitable.

By the statements which have been made in the newspapers, it would appear to have been given in evidence that the prisoners sent from St. Helena, in the Vansittart, were seventy-two days in irons;*

* By the statement which appeared in the newspapers, " sent home heavily ironed" was the term used. The irons in use on board all ships consist of one long bar, with a set of shackles; the prisoner has one or both legs fast, according to the nature of his offence, &c. The shackle receives the small part of the

whereas, Captain Scott, commander of that vessel, has assured me, on the fifth or sixth day subsequent to their departure from that island, these men were released from irons, and only re-confined when the ship entered the river Thames: such wilful perjury requires no comment!

Equally repugnant to every one's feeling must be the falsehoods sworn to by the seamen of the General Kyd. I have the assurance of Captain Serle,* and his chief officer, that Downing was released immediately he received his flogging; and yet he is stated to have sworn he was kept in irons for three days after, &c.

The vindictive manner betrayed by the crew of the Inglis, in their endeavour to persuade the magistrate to summon Captain Dudman, respecting their wages, was purely a wanton and vexatious

leg just above the ancle, allowing room to turn the leg; the end of the bar is passed through, and secured with a padlock; the prisoner can lie or sit down. So much are all these matters distorted, that I have little doubt the general impression is, that the Inglis's men were handcuffed and ironed like malefactors in Newgate or convicts in the hulks.

"How names, mistaken for things, mislead the understanding!"

* So high is my opinion of Captain Serle, and his able and experienced chief mate, Mr. Aplin, that I would venture to stake the credit of the service upon the discipline preserved on board the General Kyd. Captain Serle is a most mild and upright man, and, so far from being severe, two-thirds of his ship's company were in attendance at the office to give evidence in his favour.

proceeding, with a view to harass and annoy him, and to keep alive public feeling against an injured and ill-used man.

I understand, from the owner of the Inglis, and several of my brother commanders, that Captain Rennie, of his Majesty's ship Ariadne, wrote fully to the Court of Directors, on the subject which placed the China ships under his convoy; and that he has, in the strongest terms, declared his opinion of the general and undisguised feeling of insubordination which prevails *throughout* the merchant service, from his experience, by communication with merchant-ships on the coast of Africa and elsewhere. Beyond the respectable testimony thus voluntarily given, by a captain in the navy, there are abundant proofs that some operating cause has worked on the minds of sailors, to produce a degree of turbulence and disaffection hitherto unknown. That no greater or more serious evils have resulted therefrom, can be attributed to nothing less than that union of firmness and judgement, displayed under such lamentable circumstances, by just and humane commanders, who have had the greatest trials of fortitude and temper to sustain,—such, in fact, as can only be justly appreciated by those who have made long voyages on board merchant ships. Many of these merit the gratitude of society, and have honourably gained the enviable title of the sailor's friend.

It is the future which now claims our deep and

earnest attention: we must guard against evils, engendered by the fatal effects of that spirit, which is now so insidiously encouraged. It behoves those who can, by their influence or ability, check such baneful effects, to be true to their post. We must be guided by judgement, tempered with firmness, and by a thorough scrutiny into the causes which have, through a series of discontent and disaffection, produced such conflicting opinions. The following chapter will, I hope, be read and studied with deep interest. I pledge myself for the truth of the statements therein contained. The alarm, which such a recital must create, deserves the utmost notice of underwriters, merchants, and ship-owners, and merits the particular attention of the Government, who cannot be insensible to the importance of commerce, and to the necessity of maintaining the supremacy of our naval power:—England's best bulwarks are her wooden walls.

"To all I speak for tars, what need to Britons more!
"For Tars and Truth are guardians of our shore."

CHAPTER II.

Shewing how defective are the Means of preserving an efficient Control in the Merchant-Service, without a summary Power of Coercion, and how dangerous are the Consequences of Insubordination, by a Statement of well-authenticated Facts.

"Let partial spirits still aloud complain,
Think themselves injured that they cannot reign;
And own no liberty but where they may,
Without control, upon their fellows prey."

Waller.

"Facts are stubborn truths."

"Nothing extenuate nor set down aught in malice."

It is asserted that England is the only maritime nation without a code of laws to protect the interests of its commercial marine. This assertion has never been contradicted. It is, therefore, unnecessary to detain my readers longer on this point, but proceed forthwith to such facts, illustrative of the subject, as must prove, beyond all doubt, the serious causes now in operation, and which demand a full and impartial investigation.

I call particular attention to the two following remarkable cases, the one having occurred within the jurisdiction of an infant power,—the United States of America; the other within the legislative sway of the parent country. Appeals in both cases were made to the courts of law; in the former,

the grievance was redressed; the other party obtained no reparation; on the contrary, a breach of discipline, aggravated by insolence and fraud, was allowed to triumph, to the subversion of every principle of justice and equity, and to the lasting disgrace of our country.

No circumstance has come within my knowledge and experience that so loudly calls for a remedy as this glaring proof of inadequate power of control on board ship, and the imperious necessity which exists for a code of maritime laws. The parallel is so striking, so applicable to the cause I advocate, that, in the language of the bar, I may safely say, I rest the justice of my cause on these proofs alone.

Englishmen are justly proud of their constitution; but, let me ask, as a British sailor, are the laws of England closed within her sea-girt bounds? Does she uphold the proud title of mistress of the seas, without dispensing power and protection to her sons who command under that proud flag, which waves throughout the world as the emblem of justice and honour, and on which the sun may be said never to set?

UNITED STATES OF AMERICA.

The Criterion.

1825. Discipline of Merchant Vessels.—The following summary of a trial appears in the

Washington Gazette:—The case of the United States against the crew of the ship Criterion was tried before the Hon. Judges Thompson and Van Ness. On the 10th of June, the Criterion being ready for sea, the crew were ordered to weigh anchor, but nine of them refused. The next day, a similar order was also disobeyed. The captain was, consequently, obliged to procure a gang of riggers to take the vessel to Sandy Hook, hoping that, after the ship had passed the light-house, his men would come to a sense of their duty; but when the pilot and riggers were about to leave the ship, off Sandy Hook, the men still persisted in their obstinacy. The ship was, of course, obliged to return, and anchored again, in the North river, on the following Monday. On Wednesday, the sailors were taken before Judge Thompson, and, not being able to justify their conduct, were committed to Bridewell, to take their trial for a revolt. The Criterion was thus detained, at a heavy expense, until the 21st of June, when she proceeded to sea with a new crew.

On the trial, the proof of guilt was positive; but it was argued that the law was not clear as to making this offence a revolt. The learned Judge declared that the offence, in its probable results, might amount to revolt,—that is, was an offence against which the laws had provided,—and one which, if not punished, might occasion incalculable

loss, vexation, and inconvenience to merchants and ship-owners. The jury brought in a verdict of guilty. The sentence was, that those, who had not been confined in Bridewell, should pay each fifteen dollars and stand committed for sixty days, or until the fine was paid; and that the two, who had suffered confinement, should pay each ten dollars, and stand committed for thirty days.

GREAT BRITAIN.

The Lady Raffles.

Shipped on board the Lady Raffles, bound to Bombay, in the month of March, 1828 at Gravesend, fifteen men, that had been just paid off from the Albion seventy-four, at Portsmouth. The ship anchored in the Downs about three days after the men had been on board. After the ship had received her passengers and provisions on board, the hands were turned up to get the ship underweigh (the wind being fair), when the fifteen men, already mentioned, refused to assist in manning the capstan. Captain Tucker called them aft, when they stated that they were willing to go in the ship, but that they did not intend to put their hands to a rope, or assist in any way to do the duties of the ship, during the voyage, unless they could be al-

lowed one pint of rum per day, which Captain Tucker then refused. He applied to Captain Pigot, of the Ramilies (the guard ship), for his assistance, to compel the men to go to their duties, they having signed the ship's articles, and received, each man, his two months advance in cash. Captain Pigot stated that he dared not even punish a man on board his own ship, as she was under the district of a magistrate, and, therefore, he was sorry he could do nothing to assist him in the business, but advised Captain Tucker to apply to the magistrate at Deal; he did so, when the magistrate told him that if his people, after having signed articles, had refused to go in the ship, or deserted the ship, he could punish them, but he was not authorized to compel them to do the duties of the ship, neither could he assist Captain Tucker in the case. Upon this Captain Tucker went off to the ship, and called the men aft again, and told them he would give them one pint of rum per day, if they would return to their duties, when twelve of them stated that, if he had conceded to their wishes at first, they would have assisted to get the ship underweigh, but they would not do so now; upon which, after the ship had been detained three or four days in the Downs, with a fair wind, twelve fresh hands were sent down from London, at a great expense, and the twelve offenders allowed to quit the ship unpunished.

Mr. Richard Green, owner of the Lady Raffles, who furnished me with this statement, applied to the Thames Police for the apprehension of the above men, and was recommended to prosecute them; the magistrate could suggest no other remedy.

The valuable time already sacrificed by such infamous conduct as the seamen of this ship betrayed, besides the considerable expense that was incurred, stamp the whole affair with the greatest disgrace, and is an excellent commentary on the oft told tale, that subordination is to be sustained by an appeal to the civil power.

Let it be considered who are the party which a zealous owner is required to prosecute: a few sailors without a shilling beyond their ill-got plunder from the Lady Raffles. And have owners of ships no other duty to perform? In this case, a valuable ship, full of passengers, bound to Bombay, having a fair wind, had already been shamefully detained; a prosecution would have been followed by further and more serious detention; the Captain must have been detained as a witness, or bound over to appear: in fact, such proceedings, warped as justice is by the knavery of petty-fogging lawyers and perjured clients, are all a farce. No case can more amply illustrate the absolute necessity which exists for maritime law. Those very twelve men taunted every one connected with that most

respectable firm of Messrs Wigram and Green, at Blackwall, with their successful cruise.

The Abberton.

On board the Abberton, free trader, after a gale of wind of some continuance, the ship's company having enjoyed their full time at dinner, a favourable change of wind and weather was indicated; they were summoned upon deck to make sail, cross top-gallant-yards, &c. the top men and able seamen, ten in number, absolutely refused to obey; the Commander ordered these men on the poop in confinement, the remainder of the crew rushed upon deck, and instantly attempted a rescue, which was vigorously repelled by Captain Gilpin and his officers, and the crew were forced, by a firm and steady resistance, to do their duty. Had the insolence and skulking propensity of these men prevailed, the passage might have been considerably prolonged; and if once seamen get the upper hand, farewell to any kind of order or discipline. He who has been on a lee-shore, a winter's cruise, in the Bay of Biscay, or off the Cape of Good Hope, in a north-wester, can place a just value on a prompt and zealous performance of duty, and the evils which may follow from lubberly conduct and gross neglect.

H. C. S. Lord Castlereagh.

Among the numerous attempts to extort money

from Commanders in the Company's service, under the alleged illegality of flogging, Captain Younghusband, of the Lord Castlereagh, presents an example worthy attention. On the homeward passage from Bengal, a seaman, named Campbell, attempted to rescue his shipmate Wilson, about to be punished at the gangway, and urged others to follow his example. Captain Younghusband, with his officers, seized Campbell, who, with eleven others, were made an example of at the gangway. Prompt and vigorous measures, in this instance, checked a spirit which might have led to serious consequences, and restored order and discipline, which prevailed throughout the remainder of the voyage. Campbell entered on board his Majesty's ship Conqueror at St. Helena. On the return of that ship to England he prosecuted Captain Younghusband. Deprived of the evidence of most of his officers and other witnesses, who were absent; and, notwithstanding the perjured evidence given by the plaintiff's witnesses, which drew forth a luminous charge from the learned Judge to the Jury, and gained Captain Younghusband a most honourable acquittal: the cost, I am sorry to observe, was £165 out of his private purse, for law charges.

On the same voyage, during the outward-bound passage, part of the Lord Castlereagh's crew shewed a determined spirit of disaffection. The purser

suggested to Captain Younghusband the propriety of substituting the provisions for one day, beef and pudding, instead of pork and peas, to preserve a due proportion of each. The order was given to the ship's steward accordingly, which was generally complied with; however, the seamen belonging to two messes abused the steward, threw the beef down, from the gun-deck, at him in the lazaretto, without first making their complaint, and stating their grievances, if any existed, to the officer in charge of the quarter-deck, as directed by the rules and regulations of the ship, and made known to the whole ship's company by Captain Younghusband, at the commencement of the voyage, (which, I should here observe, is the custom throughout the service,) that redress might be obtained by this appeal being communicated to him, their Commander. The outrage committed by the seamen who refused their provisions being reported to Captain Younghusband, they were summoned on deck, found guilty, without offering any plea in extenuation, and punished accordingly. Mark the consequences! On the next morning, the boatswain reported the following ropes had been cut with a knife, or other sharp instrument:—main buntlines, top-gallant-clue-lines and buntlines, shrouds of the fore-top-sail-sheets, *lee-laniards of the lower rigging*, and sundry other ropes.

What can justify conduct like this? Cutting

the laniards of the lower rigging would have endangered the masts on the opposite tack, and involved the safety of the lives and property thus wantonly staked by malice and revenge. Captain Younghusband is many years my senior in the service, and one whose high and amiable character, as an officer and a seaman, I have always looked up to, and in this high estimation he is held by all my brother officers. I will sum up his opinion about corporal punishment in his own words: "Constrained by imperious necessity, I punished at all risks, for the maintenance of good order on board ship, although I considered this alternative the most painful part of a Commander's duty." Again, he observes, "I hope the inquiries now afloat will convince the public that, in large ships, with so many lives and so much property at stake, the truly painful duty of flogging must be resorted to by every Commander."

The Kate.

Mutiny.—The following are the particulars of the mutiny and destruction of the British ship Kate, of London, furnished to Captain Jones, of the brig Diligence, from Gaudaloupe, as given in a New York paper. After a great deal of prevarication, Thomas Murdock, who styled himself mate, made the following confession: Murdock then kissed the Bible, and said, "since I have taken an oath on the Bible, I will speak the truth." He and

seven others belonged to the ship Kate, of London, Captain George Purdy, which had been chartered, in August last, at Halifax, by the house of Belcher, Binny, and Co., for a voyage to Berbice, and back to Halifax. The ship took a cargo of fish, beef, and some lumber, consigned to the house of Robert Kite, of Berbice. They reached Berbice, where the cargo was sold for cash; the proceeds were put on board in two boxes, iron hooped, marked Nos. 1 and 2, containing 5,500 dollars. The ship sailed for Halifax in ballast. The mate had been discharged at Berbice, after having had some quarrel with the captain. Six weeks after sailing, finding constantly high winds, and in want of provisions, and the water nearly consumed, the crew asked the captain what he intended to do; the captain told them he had still some coffee, which he would give them for their support, and that he would try and get to Bermuda; but, after twenty-four hours, the wind against them, they tried for New York, but without success. Next morning, at eight o'clock, the 8th January, three of the crew seized the captain as he was walking on the deck, and tied him: they then said, he and those that lived in the cabin must either jump over board or go in the jolly-boat alongside. They then embarked the captain, who requested to go in the cabin for his cloak and boots, but he was not allowed; he asked for a compass, his lady also on

her knees begged for one, but was refused. His wife, with their two children, one a boy two years old, the other a girl about four, Mr. R. Meredith, a passenger, and a mulatto boy, steward of the cabin, were forced into the boat with 20lbs of bread, two trunks of the captain's, and two oars, and thus sent adrift. The crew, ignorant of their latitude at that time, after ten days sailing for the West Indies, discovered Deseada, when two of the crew went below and scuttled the ship. They had previously rigged the long boat as a sloop. They landed, as stated, near the Mole, on the 24th January. All, at length, confessed their crime. About 1,400 dollars have been found and lodged in the Registrar's Office. Murdock said he buried, in the yard of the tavern, at the Mole, 450 dollars; but the money could not be found."—Annual Reg. 1821.

Sea Lawyers.—*The Susan.*

Returning home from Calcutta, as a passenger, in the latter part of 1827 and beginning of 1828, I joined the East-India ship Susan, in Port Louis, as first officer, and, shortly after, received a man, of the name of John Murray, on board as an able seaman. He was shipped by our agent in the above place, who paid his debts and took him out of gaol, where he had been put by his former commander. The next day after he came on board (Sunday), he made several attempts to swim ashore.

on being refused leave to go in the boat. The next morning, after leaving Port Louis, I ordered, as usual, the hammocks to be brought upon deck, and Murray proved to be one of the first men who refused to comply with such orders, and also urged the rest of the crew to do the same. I then gave orders to stop the grog of every man who did not bring his hammock up; and, in a day or two after, on turning the men too, after dinner, Murray refused to assist in hauling the main top-mast-studding-sail tack out, until, by punishing him, I compelled him to it.

A few days after that, on turning the men too, after dinner, Murray brought up his mattrass, and, in presence of most of the crew, threw it overboard, and endeavoured to excite the rest of the crew to follow his example. From that period I observed Murray to be active in stirring the sailors up to disobedience of orders, asserting that he did not go to sea for wages, but that he depended upon getting damages in law, by provoking the captain and officers to strike him; and that he generally got from £50 to £100 damages.

Two of the men behaved in such a mutinous manner, through the instigation of Murray, that I was obliged to keep them in irons until I got into St. Helena, and then I delivered them over to the civil power. I had a great deal of trouble with him the remainder of the passage, until the morn-

ing before we arrived at Gravesend, viz. on the 11th March, 1828, at which time, having the pilot on board, Murray came up to me, on the quarter-deck, and, in the most threatening and abusive manner, shook his fist at me, saying, "now we are in pilot-ground, and you can't make out what I did to be mutiny," &c.; applying, at the same time, the most abusive and opprobrious epithets. Being short manned, I was obliged to pass over such conduct in the best manner I could, and would subsequently have had him committed for trial, was it not for the *excessive trouble*, *expense*, and *loss of time* attending such a prosecution.

HENRY-WILLIAM HYLAND.

2, *Harliston-place*, *Limehouse*,
Sept. 28*th*, 1830.

The Bridges.
London, *Sept*. 30*th*, 1830.

DEAR SIR,—As the public mind seems much incensed against the captains and officers of the Hon. East-India Company's service, for their conduct towards the seamen in their respective ships, I think it behoves every master of a merchant-ship to point out the delinquencies of seamen under their command, and, I think, it will generally be found that punishment has not been resorted to without the greatest provocation on the part of their crews.

When I commanded the Bridges transport, in 1815, in the Mediterranean, one of the seamen got drunk, and declared he would do no more work in the ship: observing the state he was in, I sent him below. The following day I sent for him, and asked him the cause of his neglect of duty; he said he had no complaint to make, but declared he would not work: a week elapsed; he still continued obstinate. I then put him in irons, and kept him in confinement five days. When I arrived at Cowes, I then applied to the proper authorities at Portsmouth; was told they could have no control over him, and that I must prosecute him at the Admiralty Court. This I could not do; and, therefore, discharged the man, offering him his wages up to the day he refused to do his duty, which he declined accepting; and applied to a Jew lawyer, named Hart, who arrested me the morning I was to sail. I had no alternative but to pay the full amount of this skulking vagabond's wages, and twelve guineas costs! To have pursued the course which justice demanded, would have rendered me liable to all the vexatious delays attending a lawsuit, fed a parcel of needy vultures from my purse, and blighted the prospects of an ensuing voyage. There is not, on the face of the earth, a more profligate, dishonest, drunken race of men than the generality of those who man our merchant ships.

The following were communicated to me by Captain Driver:—

The Clyde.

When I commanded the Clyde, in the free trade, one of the seamen stabbed my chief mate. I considered myself fully justified in flogging him; but one of the rascals attempted to rescue this bloodthirsty villain. To preserve any thing like discipline, I flogged him also, but only inflicted eight lashes. However, on my arrival in England, I had one of those hornets after me, called proctors. I employed another; who said, if I gained the suit, the expenses would be heavy; and, by his advice, I gave the informer ten pounds: this I did, which, in reality, is paying a man for behaving ill, and rewarding a fellow for attempting to rescue an assassin.*

* My friend Captain Driver, like many other brave officers, (he has served with great credit as a master in the navy,) would rather run his guns out for action with the enemies of his country than *engage* in a court of law: what with jargon and technical difficulties, delays and vexations, sea-officers would prefer being alongside a frigate, or the dangers of a hurricane, to the sight of big wigs and parchment. These were my ideas once; but having, by the way, only yet attended courts of justice as a witness, I find law neither so intricate nor so terrible, and advise none to strike to falsehood and imposition, without coming to close quarters; a few raking shot will convince your opponents you have another in the locker, and they must sink alongside; for, the devil take.

The Java.

I afterwards commanded the Java, (1200 tons,) and I verily believe, if all the gaols in London had been searched, a worse muster could not be found than composed the greater part of my crew. I could get no rest, night or day; and it was with the greatest difficulty I could get the duty carried on: necessity compelled me to punish. On my arrival at Calcutta, Mr. Birch, the magistrate, was made acquainted with the conduct of my ship's company, by one of my passengers. At his request, I waited upon him, and acquainted him with the difficulties I encountered through the refractory behaviour of my crew. He advised me to apply officially for a guard, and the ringleaders should be taken out of the ship: (the Java then lay at Saugar, ninety miles from Calcutta). On hearing the evidence, Mr. Birch declared some of these men deserved to be hung: twelve were sent on board a man-of-war. By firm and necessary discipline, I contrived to manage the rest, and got the ship home. I will mention another fact, although I was not an eye witness. The Hon. Company's ship, William

them, they deserve no quarter! I was once arrested the very day I was obliged to join my ship, by a scoundrel who had robbed me, and neglected his own duty. I gave *positive instructions* to my attorney to pursue the matter; and rather would I have sold my Nelson snuff-box than have succumbed to such villany and extortion. The fellow and his lawyer together had too much sense to follow the matter up.

Fairlie, Captain Smith, on her voyage to China, with a wretched crew, had her standing rigging cut, by some malicious scoundrels, and, but for timely discovery, would have lost her fore-mast.

The Fame.

The ship Fame, from Calcutta to London, was lost in Table-bay, entirely owing to the disaffection of her crew. The captain had got the ship under weigh, and she was standing out of the Bay: the wind fell light; the ship's company refused to make sail, and, in consequence of this dastardly and villanous conduct, the ship drove on shore and was wrecked. Mrs. Mills, a lady passenger, of Calcutta, was drowned. These scoundrels declared the ship should not leave the port, and many of them are now watermen at the Cape of Good Hope. This information I had from the captain himself, who I afterwards saw at Calcutta.

The Lady Raffles.

The Lady Raffles, Captain Tucker, shipped her crew; paid them two months in advance, and, two days after, in the Downs, several of the seamen refused to obey orders, and deserted: the Captain applied to a magistrate; but got no redress. I saw five of them, the following week, at Poplar, who boasted of this shameful and disgraceful fraud. Surely, these glaring evils call loudly for a remedy;

and unless some protection is amply vested in the hands of owners and commanders, fatal consequences will ensue. Underwriters, and all mercantile classes throughout England, have much at stake, and I hope such wanton sacrifices will no longer be submitted to.

I am, dear Sir,

Faithfully, yours,

THOMAS DRIVER.

To Capt. C. Biden.

H. C. S. The Bombay.

The Honourable Company's ship Bombay, I believe, in 1817, had the laniards of her lower rigging cut, and, I am sorry to remark, this and more disgraceful practices have not been unfrequent: cables have been found cut while ships were riding at anchor, and some, even the sheet-cable, a sailor's last hope, cut while in the tier. We hear of burning hay-stacks on shore, but, from such ravages, there is, at least, a retreat. The root of the evil is, in my opinion, of modern growth, arising from that vile association which profligacy drags the crews of Indiamen into, after a long voyage, to the total ruin of every principle of morality.

The Waterloo.

I must now present my readers with a novel case,

which reflects the highest credit upon the presence of mind and intrepidity of the commander and his officers, and, at the same time, casts such a slur on the British flag as to speak volumes in demand of that legal authority which can no longer, with safety, be withheld.

The Waterloo, free-trader, Captain Addison. One of his officers ordered a man to holy-stone and scrub the poop-ladder, or part of the deck; he refused; the officer, not inclined by habit or the good school of discipline in which he had been brought up, to relax, was resolved to have his orders obeyed, (and, let it be remembered, all orders on board ship emanate from the commander,) insisted on implicit obedience. The man still refused, took up the stone, and, in a threatening posture, betrayed a spirit of resistance; a scuffle ensued, which brought Captain Addison out; the man was ordered in irons; a rush was made to rescue, when Captain Addison and his officers seized the ringleader, and punished him at the gangway; ten of his best seamen became disaffected, declared they would do no more duty; they were told, unless they worked, they should not eat; provisions, &c. were stopped, and they were kept prisoners below. On the second day, these deluded men offered to return to their duty, and asked the captain forgiveness; he replied, when they were ready to beg pardon of all his officers, he would restore them to their duty: to this measure they quietly and respectfully yielded

a few hours after. On the arrival of the Waterloo, at Batavia, the same men became again refractory, declared they *would go on shore.* Captain Addison, with great promptitude, took the worst characters on board the Dutch guardship; the captain, on hearing the case, had the ringleader seized, and punished him with three dozen lashes, and would have proceeded further with him, and inflicted similar punishment on all the rest, if Captain Addison had not interceded. His men declared their guilt, and promised future good conduct, as soon as they saw the determined spirit of their commander met with such support on the part of the Dutch captain.

An old messmate of mine was at Batavia when the Waterloo was there. The particulars I have related I received from Captain Addison, and I have the testimony of both, that the crew of that ship had no grievance; the remaining crew one and all assailed the man and his gang, who was punished on board the Dutch man-of-war, with reproaches for their folly and ingratitude, declaring they had no just cause for complaint; and, by the well-timed rigour of necessary discipline, they afterwards became an orderly and well-behaved ship's company. As a further proof, the seaman punished has applied to serve again under Captain Addison's command.

I have another strong case in point, of the good effect which flogging has upon an incorrigible character

A most mild, humane, and excellent officer, exceedingly averse to corporal punishment, was, at length, compelled to resort to this summary mode of maintaining his authority, by a most flagrant act. When the culprit was seized up, the crew rushed on the forecastle, exciting some amongst them to head a *rescue;* the captain, leaving his quarter-deck, well defended by officers, &c. armed, coolly went amongst this phrenzied gang, asked who dared attempt a rescue, presented a pistol, and threatened any man who might make such an attempt. They found, in a moment, who they had to deal with, sat quietly down, and, before sunset, abused their flagellated shipmate, as an ungrateful fellow, declaring, one and all, that they were well treated, and ought to have known when they were well off.

I have the above statement from the captain of the ship: and his chief mate, an experienced officer, assured me nothing but the urgent necessity of the case could induce the captain to punish; and, further, the good effects of this salutary control was so apparent, that good order and regularity, as well as comfort, ever after prevailed.

Some years ago, a free-trader, proceeding from the Cape of Good Hope to Calcutta, having on board General and Miss Grace, and other passengers, was the scene of a most daring outrage. The crew, thinking, I suppose, that they had an equal right to all the good things on board, surprised the

captain, his officers, and passengers, forced them below, laid the hatches on, and indulged the second mate by making him their sailing captain. However, shortly, they wavered about a line of proceeding, for the future, which was not so easily chalked out as the mutiny they had perpetrated; one of the gang turned informer, and, upon three of the principals going below, gave information to the captain and passengers, who dexterously seized these miscreants, rushed on deck, drove the remainder below, resumed the command, and brought the crew to terms, by putting them on short allowance, which was served out down a scuttle, through which none of them could escape. The houses of agency prosecuted these plunderers on the arrival of the ship at Calcutta, and, strange to say, by some flaw, or otherwise, they escaped the enormity of their crime by the sentence of three months' imprisonment. These audacious vagabonds kept possession of the ship, with the captain, passengers, &c. below for three days, with such fare as they chose to bestow on their prisoners. Mr. Ferguson, the present East-India director, can give further evidence on this extraordinary affair, if necessary.

Let me appeal to the feelings of all those who have had wives, sisters, daughters, and children on board ship, and ask what guarantee they have? to what authority they look for protection and support when they commit such precious charges on board ship? they will surely give their aid to any

measure which can defeat such criminal projects as have occurred, and urge, by every means within their power, the prompt and efficacious assistance which the parliament of Great Britain alone can give; otherwise, I venture to say, the time will soon come when it will be as impossible for a modest lady to walk the deck of a ship as to mingle with the throng in the saloons of Drury-Lane and Covent-Garden!*

Several commanders of West-Indiamen have assured me that it is with the utmost difficulty they can preserve any kind of order and discipline on board their ships. Having no law to guide them, they frequently meet with the most unruly characters, who, in critical times, occasion serious inconvenience. Some have no other means than the collective power of their mates and passengers; their temper is tried beyond all human endurance; and wary vagabonds, aptly termed sea-lawyers, entrap them by forcing *blows*, and then resort to law on their return to England.

H. C. S. Campbell.

Captain Marquis, at Diamond-Harbour,† was acquainted, by his chief mate, with the turbulent conduct of his ship's company, who, in the first instance, applied to the chief mate for a further allowance of

* Cases have occurred which justify this observation.

† Diamond Harbour is about fifty miles below Calcutta.

grog; at this time they had two pints, which was one pint extra, and is the extreme of indulgence usually allowed in harbour; they were told more could not be allowed without the captain's sanction: this did not satisfy a number of them, who refused to do any duty, though urged to await their commander's decision. This being made known to Captain Marquis, he applied to the police-office, Calcutta, for a military guard, to take the ringleaders out of the ship, which they declined, alleging that the ship was not within the port of Calcutta. Captain Marquis happened to dine with the Marquis of Hastings that day, and related the affair to his lordship, who desired him to proceed on board and flog the worst characters. On the captain's reaching the ship, he seized eight of the most outrageous characters, and clapped them into the after-cabin, or round-house, placing his gunner and carpenter as sentries at the cabin-door. While in the act of addressing the ship's company, on the quarter-deck, the prisoners broke loose, forced their way on the quarter-deck, and, in a most mutinous manner, called upon their shipmates to stand by them. Captain Marquis and his officers, in the most spirited style, seized the foremost of them. After a scuffle, and much resistance, five were secured: three jumped into a sloop alongside, took her boat, cut the painter, and deserted.* However, some country ships, being

* The painter is the rope a boat is moored by.

near, sent their boats in pursuit, and they were speedily brought back to their ship, in full time to witness the punishment inflicted on their misguided shipmates, and to receive the flogging due to their daring and disgraceful conduct.

Here we have another proof of the inefficiency of the civil power. Captain Marquis's resolute conduct cannot be too much praised: but let us suppose the violence of a crew, with no arguments in their favour, no grievance of any kind, had determined to oppose their whole force in open mutiny, what would have been the result? the blood which must have flowed would have stained the character of British justice for ever.

The Elphinstone, of 1200 tons, outward bound, experienced very severe weather in the Channel, and particularly in the Bay of Biscay; after twenty-one days of hard gales they made the French coast, then blowing with a threatening appearance. Captain Haviside had the hands turned out to reef topsails. His ship's company refused to go aloft, and declared they would not, unless the captain promised to bear up for an English port. The ship was wore, and, when trimmed on the other tack, Captain H. seized four of the ringleaders: they were immediately flogged: he pursued his voyage; and the ship's company, after the proof of their captain's firmness, behaved very well, and always did their duty.

On board another ship in the Company's service,

where, with the most humane motives, the system of flogging was suspended for the entire voyage; the consequence was, officers were obliged to exert their own muscular powers to enforce obedience; orders to execute emergent duties were refused; the spirit-room broken open; and other such disgraceful circumstances happened during that voyage, as prove to me, beyond all doubt, that summary punishment is the only effectual check to insubordination.

We have it on record that the mutineers at the Nore did not complain of flogging; and that, when holding the command themselves, they flogged with great severity offences committed by the seamen in the fleet under their temporary sway.*

A sense of duty I owe the cause I have espoused, and one that I ever have and ever will stand by, dictates the necessity of publishing to the world a statement over which I fain would draw a veil:—A ship, lately arrived from India, fell in with a felucca of suspicious appearance, and probably the same which plundered the Saint Helena schooner, barbarously murdered her captain and part of her crew, and quitted this easy prey, under a conviction that she would bury this horrid and infamous deed

* Innumerable instances can be substantiated, of seamen voluntarily putting themselves a second and third time under captains of Indiamen by whom they have been flogged.

in the bottomless deep! The felucca seen by this ship answered the description given of this notorious pirate. The captain turned his hands out, and said he expected every man would do his duty and stand by him; the crew replied, they would not fight, they'd be d——d if they would stand a chance of losing a leg or an arm, with no certainty of pension or reward. The captain asked if such chances were not better than the certainty (if taken) of having their throats cut; to which they answered, there was no fear of that, the pirates would find plenty, lots of booty to glut their appetite, without taking their lives. That the crew of an English vessel could broach such treasonable, cowardly sentiments staggers one's belief, and conveys scope for serious reflection. If the degenerate seamen of the present day refuse to fight a pirate, and talk of his marauding and villanous propensities having ample food, by the maxim that non-resistance shall guarantee self-preservation,—then, I say, it is fair to conclude collusion will ensue, and the crew of an English merchantman and pirates,—the curse of the seas, who have committed more diabolical acts these last ten years than all the highwaymen since Cromwell's time,—will fraternize. More than that, I venture to say, if we slacken the reins of a just and effective discipline, crews of small ships will rise on

their captains and officers, and carry them prizes into the clutches of a pirate.

Read, mark, and learn, all merchants, owners, underwriters, and all who have friends and relations traversing the high seas: Captain Driver is my authority for this unheard of disgrace, an old and experienced sailor himself, prizing the good qualities of true seamen, and, like me, abhors the perfidy of villains who, under the mask of a tar, intend only treason and plunder!

Moreover, seamen are conversant enough on matters relating to their own welfare, and the generous sympathy which their countrymen have ever evinced in their behalf is not unknown to them.* I refer my readers to the extreme liberality ever diffused by the Patriotic Fund,—the munificent donations, the fruit of liberal and spontaneous subscriptions for the widows and orphans left destitute by the catastrophe which befel the North-Sea-Fleet; and so great is the hatred imbibed against pirates, that I verily believe the bounty of a British public would exceed all former bounds in their contributions. To those who manfully resist them, the indignation which arises in the mind when speaking of a pirate, the very scourge of the seas,

* A seaman lost his leg in the Honourable Company's ship Kellie Castle, when I was chief mate of her, by a fall from the royal yard; he was afterwards admitted into Greenwich Hospital.

reminds me to suggest to Government the equipment of some of our best steam vessels, either to attack these public nuisances themselves, by running them on board; or, perhaps, more effectually, to be under the command of our squadron on the coast of Africa, or elsewhere, to tow the chasing ship, in the wind's eye, in the event of light winds; otherwise vessels of such peculiar construction escape. That piracies, murder, and insult should occur so frequently as they do, is a disgrace to the whole civilized world.

The public are probably not aware that most of the commanders of Company's ships have commissions from His Majesty to seize pirates. I *held one*, and twice during my last voyage ran down to suspicious vessels; and I cheerfully do justice to the spirit of my ship's company, who appeared, upon these and all occasions, to be actuated with a proper spirit. To give any effect to the zeal and ardour of a merchant ship's company, we must have the power to show a blue or a St. George's ensign; but, humbled as we are, what scope have we for that loyalty, which is the very bond of true and generous protection? It is wise to leave a generous impulse unfettered by vague and indefinite causes of distrust and jealousy.

The merchant service disclaim any notion of ever showing these colours, except from patriotic

and praiseworthy motives, to lure or intimidate an enemy. More of this hereafter.

The cases of mutiny I have related, in the first chapter, merit some detail, and may serve as a useful and valuable lesson. The Honourable Company's ship Royal George, when approaching the coast of Sumatra, after having experienced very severe weather the preceding night; and during the morning watch, the fore top-gallant mast shivered with lightning, &c. The hands, after breakfast, were ordered to be turned up as usual; when the ship's company refused, to a man, to go upon deck. Captain Timins, with becoming promptitude and energy, took decisive measures instantly. Officers, midshipmen, and servants, were armed; a reserve of arms was also placed in the cuddy; the gun-room-scuttle was guarded. Captain Timins, with the boatswain, each armed with a brace of pistols, then went forward on the gun-deck; declared to the ship's company (who were in a body) that unless they immediately turned round and went to the fore scuttle, he would shoot the nearest man who betrayed a symptom of mutiny or disobedience. So firm and resolute a show of authority had the desired effect; the crew were sent to the quarter deck, and in a respectful way stated their grievances, having yielded without shewing the least display of in-

solence; and, there being some trivial cause for complaint, the captain convinced them how unseamen-like their conduct had been, and that his officers were always ready to receive their complaints, through the petty officers, on the quarter deck, through which channel every complaint would be sure to reach him; but if they dared to neglect their duty or resist his just commands, he would punish the ringleaders in the most exemplary manner. The result of this breach of discipline left no suspicion; the manly deportment of the ship's company in the hurricane we encountered at the head of the China Sea, in September, 1803, —and especially their noble conduct during the two days we were in sight of, and in the action with, Admiral Linois, (in both of which, at these trying times, they did their duty,) amply rewarded their gallant commander for his discernment of their *true* character, and secured them his most favourable opinion.

In the same ship, in 1818, commanded by Captain Charles Timins,* our passage from St. Helena to England was rather long, and one description of provisions was getting scanty; though the ship's company had still abundance, with several indulgencies from the captain's private store, which

* Both Captain Timins' here mentioned are brothers; the former was owner of the Royal George.

he had most liberally bestowed throughout the voyage. Notwithstanding, one forenoon, within a few days' sail of soundings, the third officer, superintending a tedious day's duty, serving and splicing cables, reported to me that much discontent was working in the people's minds about their provisions. I desired him to take no notice of mere grumbling, which, by the way, is as natural to seamen as gossip among washerwomen, but to watch over the general feeling. This he did, and, as dinner-time approached, he stated his suspicions that a very mutinous spirit was evident throughout, and he thought the ship's company would refuse to take their provisions. All these points were strictly attended to, and most of the men did take their meal. I reported the whole affair to Captain C. Timins, and we determined what course to pursue. When the orders were given to turn the hands up, I waited a reasonable time; at length, on looking down the main hatchway, and observing the boatswain and his mate looking rather foolish, I quietly told the captain I knew where to seize upon the principals, jumped down the after hatchway, followed by the officers, and seized a quarter-master; him we dragged up: the hands were turned out, the ship's company were thoroughly ashamed of their misconduct, and, from their general orderly behaviour, the whole were pardoned. This circumstance, however, strongly marks the ingratitude of seamen; no commander ever

studied the comfort and happiness of his men more than Captain C. Timins: mild, generous, and dignified, firm in any case of emergency, and avoiding, in every possible way, the painful duty of flogging. We have sailed together for three voyages, and I had also the pleasure of being an acting midshipman with him on board his Majesty's ship Indefatigable, when he was first lieutenant; and with pride I bear witness to the gratitude which the gallant crew of that distinguished frigate evinced towards their first lieutenant: he was loved and respected by them all. Captain C. Timins was a lieutenant of his Majesty's ship London, bearing the flag of Sir Hyde Parker at the memorable battle of Copenhagen. Nelson snatched the laurels from the brow of many an eager spectator of that glorious fight, and, in common with numbers of gallant officers, Captain C. Timins lost thereby all prospect of promotion in the navy. I should also mention the services performed by my friend and commander, under Sir C. Mitchell, when in command of the Nautilus brig, in the Indian seas, which gained him the thanks of the Bengal government and the approbation of Admiral Rainier, who received him on board his ship, the Suffolk.

Captain W. H. Biden, commanding the Thalia, going upon deck, on the 14th of October, at sea, observed several of his crew swimming under the bows and alongside; he questioned the officer of

the watch about allowing such impropriety, considering the danger from sharks, &c. who replied he had ordered them in, but they would not obey; the boatswain had endeavoured to prevent the men going overboard, without effect; the captain then ordered them on board. After some hesitation on the part of Thomas Rogers (seaman), this order was obeyed; the hands were then turned up, and the ship's company were made acquainted that swimming or going overboard was contrary to the regulations of the ship; a spirit of disaffection betrayed itself among several of the men, and Rogers came forward, in the most daring manner, declaring he would go overboard in spite of the captain, or any one else. This man's insolence became so inflammatory that he was ordered on the poop, which he reluctantly obeyed, but burst out into mutinous language. Captain W. H. Biden then ordered him to be placed in confinement; he then became outrageous, seized an iron belaying pin, and threatened to knock down the first person who attempted to put him in irons, and made all the resistance in his power. The captain then endeavoured to wrench the belaying pin from him, and succeeded; at length, in securing this turbulent fellow, upon which two other seamen declared they would, also, go in irons; they were, in consequence, sent as prisoners on the poop. This was not the first or second offence Rogers had been guilty of, particu-

larly on one occasion, in a heavy gale of wind, the strops of dead-eyes of the main rigging broke, and all hands were ordered up to secure the main-mast; this skulking vagabond refused, until his captain went down to send him up, and then, like a lubberly scoundrel as he must have been, falsely declared he had been on deck all day and was knocked up; what seaman, even in such a case, would have so excused himself when the mainmast was in danger?

An inquiry was afterwards held into the conduct of these men. Rogers declared he had a right to go overboard to bathe when he pleased, and that he took the belaying pin to defend himself, suspecting it was the captain's intention to flog him.

J. Maclellan declared if "some people were put in irons, others must do their duty; to avoid which he would rather be a prisoner than do the duty of others."

Thomas Thomas was most insolent, declaring, if Rogers went in irons, he would be d—d if he would not go. This fellow had been guilty of theft, and pardoned upon promise of future good behaviour; being charged with this breach of promise by his present misconduct, he replied Captain W. H. Biden was as bad as himself, for not punishing him, and was most violent and contemptuous in his conduct.

Maclellan was ordered to be suitably admonished; Thomas Thomas to be punished with three dozen; T. Rogers to be confined in irons, and delivered over

to the civil power at the first English port the ship touched at. This mutinous fellow appealed to the ship's company to rescue him, to resist the captain's authority, and try which party was the strongest.

My brother laid this case before the magistrates at Calcutta, *who would not interfere in the matter*, and observed that *he should have flogged him at sea, and that he was vested with full power for so doing*.

On one point I fully agree with the magistrates, that such outrageous characters as Rogers and Thomas should have been flogged.* I would advise every commander to punish, in the most exemplary manner, on the spot, every daring attempt to dispute his authority, or excite, in any way, others to follow an example which may, by ill-timed lenity and forbearance, be followed by open mutiny. In the case I have described, the majority of the crew were well inclined, which induced my brother to stay the hand of severity; but how mortifying to submit to such contumely, and seek redress in vain, where we are told a remedy is always at hand, and where justice should ever preside.†

* The Thalia being near Bengal, Captain B. judged it best to give these men over to the civil power, or would have punished them.

† At Blackwall, in September last, the chief mate of the Thalia was most wantonly struck and insulted by the ship's cook (Wilkinson), who had dared to leave the ship without permission; and, on his return, the chief mate opposed his coming on board, upon

When we gratify our own generous feelings, we should bear in mind the future consequences lenient measures may have upon the minds of those who have, as in the examples I have detailed, been unworthy objects of indulgence: such men as these exert a baneful influence on the minds of other seamen.

In 1825, I discovered, after we had been at sea about a month, that several of my crew had belonged, the previous voyage, to a ship in a lax state of discipline, which broke out into open mutiny. The first punishment I was obliged to carry into effect at the gangway. I summoned these bad examples to the opposite side, on which the crew were standing, stated the cause to the whole ship's company, and ever after marked the conduct of these men, and the disgraceful character they had brought upon themselves and their ship.

I was a visitor on board the Kellie-Castle in 1823, when some ruffian among her crew struck the boatswain with a billet of sandal-wood* on the head, in the dark, and there was every reason to believe it

which the fellow struck Mr. Stalker, who was stunned with the blow. A statement of this case was made to a respectable proctor, who advised that the man's wages should be paid; and, the chief mate being still on duty, with the ship fitting out again, has been apprehensive of expenses and detention; consequently from the want of some effective law to remedy such abuses, this vile attack escapes with impunity.

* Sandal-wood is much heavier than oak.

was his intention to *murder him.* The ship's company were mustered at 11 p.m.; the captain and officers, with lanterns, interrogated every man; and, for three weeks, inquiries were made with great vigilance: but the villain never could be discovered.*

H. C. S. Orwell.

1818.—A serious mutiny broke out in the Honourable Company's ship Orwell, outward bound, on her first voyage, and, as far as evidence could be adduced, piracy was the avowed object. The firm and intrepid conduct displayed by Captain Leech and his officers quelled this villanous scheme by the most prompt and vigorous measures:—a chalk line was drawn across the deck, punishment inflicted, and had any one man dared to have crossed that line, he would inevitably have been cut down or shot; and however so dread an alternative may shock the feelings of those who peruse these pages, the best friends of seamen are thoroughly convinced that, in nine cases out of ten, when mutiny throws down the gauntlet, and threatens life and property, one victim would be a merciful release, and eventually prevent those horrible evils which must follow a successful revolt.

* The boatswain was a severe check against skulking, and other negligence of duty, which drew upon him the above barbarous act.

There have been several instances of small ships, Americans and English, appealing to commanders of Company's ships for protection against the violence of their crews.

H. C. S. Duke of York.

The Hon. Company's ship, Duke of York, in a gale of wind, in Margate-roads, homeward bound, her crew broke out into a most complete state of disaffection, although their conduct, throughout the voyage, had been generally correct. Capt. Locke rushed in amongst his refractory crew, and, finding it necessary, for the safety of the ship, should any case of emergency arise, seized the ringleader and punished him. This man made several appeals to his shipmates, exciting them to a rescue: fortunately for themselves, they formed a true estimate of their commander's character, and were not insensible to the merit attached to his impartial rule. The culprit was, consequently, left to his fate. Some discontent was manifested, on the following morning, when the gale abated, and orders were given to weigh. Captain Locke and his officers went below among the thick of the crew: a sense of shame and duty restored order; and, on no other occasion, during a long voyage, did these men behave better, or work with greater activity and zeal, than during the passage from Margate-roads to the port of London.

H. C. S. Vansittart.

On board the Hon. Company's ship, Vansittart, 1821–22, a supply of American beef and pork was procured at Batavia, equal, if not superior, to the Irish provisions; but the pieces being larger, it became necessary to cut and weigh them, and, unknown to the captain and officers, there was a loss, per week, to each man, of *about one ounce.* On this plea, the crew refused to receive their provisions, and manifested a spirit of insubordination, even to the extent of throwing a billet of wood at the boatswain. Prompt measures were taken to restore order: the hands were turned up, and preparations made for flogging, should it be necessary. The captain then explained the nature of their offence, which was aggravated by not appealing to the *quarter-deck* for redress: told the ship's company he was aware of the determination of some amongst them, who were inclined to excite a breach of discipline, which, for the welfare of all, he was resolved, at all hazards, to maintain: that he knew the names of the ringleaders (eight in number): these should be written on slips of paper, put in a hat, and lots should be cast; the name of any individual drawn should be ordered forward to receive his provisions (the purser and ship's steward being then at the lazaretto for that purpose): they were also told that the fractional part of provisions, before alluded to, should be made up. Should the

person, on whom the lot fell, refuse to obey this order, immediate punishment should follow; and the captain warned the ship's company of the consequences which would inevitably follow any attempt, on their part, to excite a spirit of resistance. The lot fell on the leader of the gang, who hesitated, looked at the gratings, then at the cat, and the firm countenance of his commander; went forward, received his allowance. The rest of the crew followed his example, and returned to their duty with cheerfulness and alacrity.

H. C. S. Marquis of Huntley at Sea, Captain M'Leod.

April 20th, 1818, held a court of inquiry into the conduct of James Mills, seaman, when the charges of disobedience of orders, riotous and mutinous conduct, drawing his knife and cutting the master-at-arms, being fully proved against him, the court sentenced him to be punished at the gangway.

H. C. S. Marquis of Huntley, off Margate.

Sept. 10th, 1821, p.m.—On the hands being turned up, as usual, and they not obeying the summons, I sent the third officer and boatswain below to ascertain the cause, and send them up; a few upon this made their appearance, but still the greater part hung back. George Webb refused, making use of the most abusive and mutinous language to the officers; upon which I ordered him to be brought upon the

quarter-deck, that an inquiry might be made into the cause of such conduct. In effecting this he made the greatest possible resistance; and the ship's company, on observing this, made a general sally to rescue the prisoner; collaring, throwing down, and dragging along the deck, myself and the other officers employed in securing him. The following men, James Ireland, George Steel, Thomas Kelly, and Richard Cressy, were principally concerned in the rescue and outrage, and making use of the most mutinous language when they were secured. Capt. M'Leod consulted with his officers upon their mutinous disposition and behaviour: judged it absolutely necessary, under the circumstances of the case, (the ship laying at single anchor near the Warp Sand,) to punish, in the most exemplary manner, the above men, thereby check a further spread of insubordination, and restore the whole ship's company to a sense of their duty.*

The ringleaders were accordingly punished at the gangway.

(Signed) J. H. Fraser,
Chief Officer.

* Such furious and outrageous conduct was betrayed by the ship's crew that, one of the two pilots then on board, jumped into a boat alongside and escaped. The ringleaders, on the next day, expressed their regret, voluntarily begged Captain M'Leod's pardon, saying, they were urged on by others; Captain M'Leod was satisfied, and a friend of his received them in his ship soon after.

H. C. S. Dunira, Sept. 11*th*, 1821, *at anchor below Holy Haven.*

At 5, p. m. J. Kelly, seaman, being drunk and riotous on the quarter-deck, and refusing to go below, Captain Hamilton ordered him in confinement. Whilst endeavouring to carry this order into effect, the ship's company rushed aft to prevent it, and, if possible, to rescue the prisoner, using the most opprobrious epithets, and declaring they would lose the last drop of their blood before any man should be punished. It became necessary to call in the assistance of the military.* Secured G. Lynch and J. Campbell, (ringleaders,) and immediately called the hands out to punishment: punished G. Lynch, (seaman). The ship's company still evincing a riotous and mutinous demeanour, when Lewis Soberie, gunner's mate, declaring that if they were all of his mind, they would muzzle the boatswain's mate, and not allow the punishment to proceed: he was tied up, and an example made of him also.

The prisoner, Campbell, was released for a short period, on his own application, when he jumped overboard, and endeavoured to swim from the ship: secured him, and returned him into confinement.

Wednesday, 12th.—Blowing strong at S.W. In

* There was a detachment of the Hon. Company's Artillery, on board the Dunira, returning from St. Helena.

consequence of the mutinous spirit and conduct evinced by the crew yesterday evening, Captain Hamilton took the opinion of the officers on the conduct of the prisoners, and on the best and most effectual way of proceeding, under all circumstances, towards them; when it was their opinion J. Campbell should be punished, previous to weighing the anchor, to prevent a repetition of yesterday's occurrence, which might affect the safety of the ship, particularly as it was blowing hard when the activity and exertions of every body on board would be required; and, further, considering that he was a principal ringleader, and a great supporter of the riotous and mutinous conduct of the ship's company: weighing all these circumstances, they were of opinion that it was absolutely necessary to make a severe example of the prisoner, Campbell, but that J. Kelly, whose behaviour proceeded from inebriety, and who was penitent and sensible of his error, should be released. At half-past six, a. m. turned the hands out and punished the prisoner, Campbell, according to the sentence of the court, and released J. Kelly from confinement. At seven, a.m. weighed; the wind increased, with hard squalls; split the main-sail, fore-sail, and jib: brought up in the Lower Hope.

James Barber,

Chief Mate.

The simultaneous movement, on board the Dunira and Marquis of Huntley, gives scope for reflection. Was the measure pre-concerted? If so, was it fortunate for the credit of the Company's service, that so daring and so unprovoked an outrage occurred on board ships in such high and efficient order, and where there was no just cause for complaint: in each, the breach of discipline was a most wanton violation of duty, and deserved, as it met, exemplary punishment.

Let us suppose both these ships wind-bound, and assailed by an equinoctial gale,—driving on a sand,—insubordination at its height,—when it is absolutely necessary to use the most prompt exertions for the safety of the ship. I have been on two different voyages in the precise situations, where the Dunira and Marquis of Huntley were at anchor, during the above disturbances, in a perilous state, when our safety depended upon prompt obedience.

H. C. S. Royal George, June, 1807.

Ten miles below the Nore, blowing a tremendous gale at S. E.; parted from both bowers; drove with the sheet on the tail of a sand; got a spring on the sheet; hove our head round; cut from the sheet and ran under a reefed fore-sail to Gravesend, having only a stream-anchor left, which was unstocked.

In Margate-roads, late in Sept. 1810, in the same ship, rode out a heavy gale. The Hon. Company's

ship, Canton, drove,—crossed our hawse, carrying away our jib-boom. So perilous was the situation of both ships, that we were ready, with axes, to cut our cable; and had the Canton taken our bowsprit, or fell on board of us, both ships would, in all probability, have been driven on the Tongue Sand, and lost.

H. C. S. Lowther Castle, March 31*st,* 1821.

At 5, p. m. punished Henry Horton, seaman, severely, for jumping overboard, disobedience of orders, and disrespectful language to Captain Mortlock. 38 S. 24 E.

April 4th, at 6, a. m. found the fore and main tacks, fore top-sail cluelines, fore clue-garnets, and several other ropes maliciously cut. At half-past nine, a. m. turned the hands out, when Capt. Mortlock offered a reward of 100 dollars to any one who would give information of the person or persons who committed the act. 38 S. 37 W.

May 11th, at 4h. 30m. p. m. confined in irons W. Sturmey, E. Brown, J. Fuller, and J. Jeffs, seamen, for coming aft to Mr. Smith, chief officer, in a most mutinous manner, and refusing to go forward again, after being repeatedly ordered by him.

Bengal, Saturday, June 2d. Discharged thirteen seamen, by order of government; the above four persons were of the number.

I cannot glean any further particulars relating to the very serious mutiny, which broke out on board

the Lowther-Castle. I remember hearing that the disaffected men were taken out under a military guard, and that such was the state of excitement, that the King's officers and troops were obliged to be on guard during the latter part of the passage from England to Bengal, to the great discomfort of passengers and others.

H. C. S. Orwell, at Sea.

July 25, 1826, 2 h. 10 m. p.m. John M'Donald (boatswain's mate) was brought on the quarter-deck, charged with having knocked down Mr. Browning, fifth officer; he was, in consequence, ordered into irons; shortly after, a number of the people left their work on deck, and refused to do any more duty till he was released; upon which the hands were called out, and, upon investigation, it was discovered that the prisoner had wantonly, and without provocation, assaulted the fifth officer; he was ordered to be seized-up for the purpose of being punished, when he was forcibly rescued by a number of the people. After several fruitless endeavours to induce the disaffected to return to their duty, the prisoner was, at last, secured; a number of men still continued in a mutinous state, when it was determined to force them to a sense of subordination; whereupon the ringleader, J. White (o.s.), William Todd (gunner's mate), J. Robinson (s.), and H. Thomas (s.), were secured; the former was

severely punished, he having lifted an iron scraper against the chief-mate; the other three were also made examples of; upon which the remaining number of disaffected returned to their duty.

A.M. Held a Court of Inquiry on the prisoner M'Donald, when the charge against him was fully proved; confined him as a mutineer, resolving to deliver him as such to the course of the civil law, and put into confinement T. Higgins and W. Harris for their forward and aggravated conduct in the mutiny. William Todd, as spokesman for the disaffected, and encourager of their measures, was confined on the gun-deck, as too dangerous an individual to be at large; considering it necessary to get rid of such a character at the first port. Kept in confinement for the night W. Robinson and J. White.

October 11, 30 a.m. Suspended William Stockhill, boatswain, from the evidence of the prisoner M'Donald, implicating him as a ringleader of the disaffection.

August 7, 9 h. 30 m. p.m. On the alarm being given that some person was hailing the ship, tacked to eastward, in the direction of the voice; but the ship standing into danger, tacked again, at 10, to the southward; it was discovered that J. M'Donald (b.m.), T. Higgins (s.), who were in confinement, on the poop, for mutiny, had succeeded in effecting their release from irons, and had cut away the

life-buoy from the stern. Ship then at the entrance of Straits of Sunda.*

August 23. At Sincapore, delivered the prisoner, W. Todd, gunner's mate, to the civil power.

It is impossible to produce a more ample proof of the necessity of flogging than this struggle between the contending parties conveys. Captain Farrer and his officers nobly maintained their authority against as daring and wanton an outrage as ever was exhibited on the deck of a ship.

H. C. S. Princess Charlotte of Wales, at St. Helena.

March 31, 1820. Punished G. Richardson, for insolence to the ship's steward, and for having struck him before, as well as for most abusive and threatening language to Captain Gribble, threatening to cut his throat, &c.; and Peter Leonard, for an attempt to rescue George Richardson; Owen Owen, for throwing the cat overboard, and for his bad conduct on the 30th inst. (going on shore without leave, drunkenness, and insolence); were also made an example of. An Inquiry was subsequently held on Richardson and Leonard's general conduct, and it was resolved to keep them in confinement, being desperate characters.

* These two men afterwards gave themselves up, as deserters, to His Majesty's ship Tamar.

H. C. S. General Kyd.

June 27, 1827. Confined, on the poop, John Hayes (s.), for insolence to Mr. Barclay, third officer; at seven, p.m. the prisoner, having been placed in the steerage, at the request of the assistant-surgeon, went forward, and got drunk, came on deck, and ran to the different mast-heads, making a dreadful disturbance. At half-past eight, confined him in irons. At nine, many of the ship's company came aft, headed by Patrick Toole, Thomas Williams (s.), and J. Anderson (quarter-master), making use of dreadful imprecations against the officers, protesting, unless the prisoner Hayes was released, they would rescue him, or lose their lives in the attempt; and threatening the lives of all those who might oppose them. The officers having been apprised of their mutinous intentions, had armed themselves before they came up. The officer in command, Mr. Thompson, with that firmness which did him the highest credit, presented a pistol, declaring himself and officers resolved to sacrifice their lives rather than yield to their dastardly threats; and that the first man who dared to make an attempt to rescue the prisoner would be shot. These mutineers, like all others, possessing no courage at heart, dispersed, and went below.

On the 29th, Captain Nairne went on board and

punished P. Toole, J. Hayes, J. Anderson, and Thomas Williams severely, according to the decision of the Court of Inquiry held on their conduct; and confined the two former again in irons for refusing to work.

I can also mention a remarkable instance of the efficacy of corporal punishment when in command of the honourable Company's ship Princess Charlotte of Wales, in 1822. Some very notorious characters among the recruits were received from the Company's Depot, at Chatham, being the last batch of the season. Colonel Hay pointed them out to Major Gall and myself; one fellow in particular confirmed the incorrigible character he brought with him; the greater number of the men and my ship's company were so well inclined that this man was only confined in irons for glaring misconduct, though my opinion throughout was that flogging was the only remedy to pursue with so downright a blackguard; at length, he became outrageous, exciting others, and, from the lenient measures adopted, his influence had a baneful effect among his comrades: the cat-o'-nine-tails was then tried; he was furious, calling to others to rescue him; a few lashes curbed his mutinous spirit; his domineering power was so effectually quelled, and his true character became so apparent to all, that he was completely scouted as a braggadocio. When mentioning this voyage,

I have the satisfaction to state that, for nine months, not a man was punished on board my ship; one only, at the early part of the voyage, for theft; and, on our arrival in the Channel, I publicly thanked my ship's company for their excellent conduct, to the great gratification of Sir Jasper Nicolls, and Mr. Stuart, the present East-India Director, and of my passengers.

Honourable Company's Ship Bridgewater, at Sea.

29th April, 1823, 18.42 S. 4.0 W. At half-past ten a.m. assembled, with the sworn officers to a Court of Inquiry on a Company's recruit, and Thomas Jones (seaman), when Thomas Jones was found guilty of answering Mr. Walker, fourth officer, (in charge of the watch,) in an insolent manner, and deserving of punishment.

The hands were turned up after twelve at noon: while they were coming up, the chief-mate went to Captain Mitchell's cabin, and said that he apprehended resistance on the part of the crew, as the prisoner Jones had said, repeatedly, he had been in an Indiamen where they had cut down a man, and would do so again. The second mate, who had then charge of the deck, also told the captain that, in direct disobedience of his orders, the ship's company had passed all over from the lee-side of the quarter-deck to the weather-waist and gangway. Captain Mitchell then took up his sword, and

went on deck; the people were then, as stated by the second-mate, with the prisoner's messmates, all in front, Wingfield and Harris, seamen; also, Henry Duffin (s.) and John Rushton. Capt. M. desired them to pass over to the lee-side of the deck; Rushton, quarter-master, who appeared to be the ringleader, answered, in the most determined manner, that they would not, and was followed by all the others calling out loudly. Captain Mitchell then went up to him, and took him by the collar, and tried to drag him aft; the most determined resistance was made by him and the others, and a scuffle ensued, with those in front and Captain Mitchell and the officers. Captain Mitchell was driven back; Rushton then called out to the people to come on and make a rush aft. Captain Mitchell then drew his sword from the scabbard, and cut him down; Wingfield rushed forward, and was also cut down by Captain Mitchell; Harris also received a cut across his arm; he was in the act of closing with his commander, in a fighting posture. The people seeing all their leaders down, and Henry Duffin a prisoner, ran forward; they were followed by the captain and second-officer; some jumped down the fore-scuttle; the greater part run round the lee-waist on the quarter-deck; they were closely pursued; every man ordered to muster, by name, on the quarter-deck. The prisoner Jones was then

brought up, and behaved in the most mutinous manner, violent both in language and actions. With much trouble, this man was seized by the officers and petty-officers, and punished with twenty-five *lashes; he then begged so hard, and promised so* fairly, he was let down. Captain Mitchell feeling confident that the necessary examples he had made were sufficient to restore order, released Duffin.

The wounded mutineers were soon well enough to return to their duty.

While the Bridgewater was at St. Helena, in May, 1823, the Governor instituted a Court of Inquiry into the conduct of J. Rushton, J. Jones, and J. Wingfield: they were found guilty of open and daring mutiny, and were sentenced to be sent to England, as prisoners, for trial.

Jones appeared to be the instigator of the whole party.

Captain Mitchell well performed the most painful duty that can fall to the lot of a British officer, when demanded by imperious necessity; he had, on this trying occasion, a most arduous and painful duty to perform: his forbearance was put to the severest test; his sword remained within the scabbard, until personal violence and daring outrage demanded the sacrifice. Such resolute and determined conduct merits the highest encomium, and is a proof of the efficacy of strong measures being

essentially necessary, to prevent *more* serious consequences.

Captain Mitchell died in August last; he was always considered a superior practical seaman, and *one of the most skilful navigators in the Company's* service.

Jones's offence was for telling the fourth mate, while in charge of the watch, he had something else to do than to attend to him, constantly hailing the top and giving so many orders: this man, from the first, had shown a most determined spirit of insolence to all the officers, and had been before tried for answering the third mate in the same manner; but it being in the night the charge could not be clearly proved against him, and he escaped that time.

The Hon. Company's Ship Belvidere, at Whampoa.

December 1, 1787. At eleven, p.m. confined in irons James Keefe, for making a noise in the ship, refusing to leave off when desired by me, taking the light out of my hand, putting it out, tearing my shirt, and using me very ill. The people turned out, and threatened to take him out of irons: they staid on deck till half-past two on Sunday morning. The principal ringleaders in this were John Berry, A. Lilly, J. Keefe, R. Skinner,

A. Garland, T. Longford, T. Kelly, H. Ludsom, W. Connor, and I. Hastings.

(Signed) D. Dunlop.

Sunday, 2d December. At daylight the people refused to turn out and wash decks when desired by the boatswain: on his acquainting me with it, I went down on the gun-deck, and told them of the bad consequences that must attend their behaving in this mutinous manner, and that I was determined not to release the prisoner before Captain Greer came on board; they went up and washed decks, and remained quiet till one p.m. when they suddenly came up from the gun-deck, armed with handspikes, billets of wood, marline-spikes, double head shot, &c. rushed aft on the quarter-deck, with J. Berry and A. Lilly at their head, threatening to murder any man who should attempt to prevent their releasing the prisoner, James Keefe. I endeavoured in vain to stop them, and was very nearly pushed overboard in the attempt; the sixth mate was knocked down, by J. Berry, with a marline-spike, while attempting to prevent their releasing their prisoner, who they took on the main deck, knocked off the irons and threw them overboard, giving three cheers, and saying the day was their own. Finding the officers were arming, and determined to put the prisoner again in confinement and secure the ringleaders, they took possession of the

gun-deck, secured the ports, knocked away the ladders, broke open the fore scuttle, pointed the two bow guns aft, and had pokers and bolts in the fire to serve for matches.* It having been reported that they had broken into the magazine, I went to the fore hatchway, without any arms, asking them what they meant by all this disturbance? They said if I or any of the officers attempted to come down on the gun-deck, or fire on them, they certainly would murder us, and, sooner than be taken, they would blow the ship up, which made all the officers think it most prudent to defer taking the ringleaders into custody till we had secured the magazine; at this time the second officer and purser came from Canton. By the purser I received a letter from Captain Greer, informing me that he was very ill with the dysentry, and could not come down to the ship; on this I took a sanpan, (a Chinese boat,) under pretence of going to Canton, and went on board the commodore's ship to report the state of the Belvidere, and to ask his advice; when it was resolved, by the Commanders of the Honour-

* To such a pitch of defiance had the crews arrived at in one ship, that a seaman was to have his clothes stitched together, and thus compel his officers to resort to violence in stripping him, that the crew might possibly be furiously excited during the preparation for punishment, and the tattered garments would form the subject for an interesting episode for the eloquence of the bar; but we shall and must *have a bar to all such proceedings.*

able Company's ships, that the ringleader should be immediately taken into custody. I went on board the Belvidere, with Mr. Charles Railt, the commodore's chief officer, and sent for the third mate and gunner. I ordered the third mate to hold himself in readiness, with six quarter-masters, armed, to take possession of the lazaretto and secure the magazine, and if any of the mutineers entered, I desired him to run them through. I ordered the gunner, as soon as all hands were called, to secure the gun-room, with his mates, and to shoot any man who attempted to break in. All hands being called, Mr. Railt and myself endeavoured to persuade them to deliver up the ringleaders, telling them the folly of their standing out against all the ships here, and that if they killed any person they would certainly be hanged. The ringleaders declared they would die before a man of them should be punished, and would fight all the ships at Whampoa as long as a bit of the Belvidere's sides stuck together, making use of many seditious expressions. Finding the boats from the different ships were coming up, and the mutineers threatened to sink them with shot, I ordered the officers, petty officers, and mechanics, to arm themselves, and must do them the justice to say no men could possibly have behaved better; they cleared the upper deck in less than two minutes, and in about five the whole of the ship's seamen were made prisoners,

and the following men, being the ringleaders, were sent on board different ships,—A. Lilly, J. Berry, H. Lodsom, J. Keefe, R. Skinner, A. Garland, T. Langford, T. Kelly, W. Connor, and I. Hastings. We had five of the rioters wounded; but, luckily, no lives were lost. The officers and seamen from the different ships rendered us all the assistance in their power; the men seemed to have such an abhorrence of the crime our people were guilty of, that it was with the greatest difficulty I could stop them from taking the lives of the mutineers.

Captain Greer visited the ship on the 3d.

December 15. Commodore made the signal for all commanders.

December 24. A fresh gale, with fair weather. Nine of the principal mutineers were this day punished, according to their sentence, viz. Berry and Lilly were flogged round the fleet; Keefe and Ladsom had five dozen lashes each; Connor, Garland, and Skinner, four dozen each; Hastings and Longford two dozen each;—the seven last were punished on board the Belvidere.

D. Dunlop.

Too much praise cannot be bestowed on the exemplary conduct of Mr. Dunlop and the officers of the Belvidere: their firm and resolute behaviour in the perilous situation they were placed could only be equalled by their extreme forbearance, until the decisive moment produced those vigorous efforts

which speedily quelled a daring and wanton mutiny.

Captain Dundas, of the Earl Fitzwilliam, was the senior officer of the China fleet; he summoned a full Court of Inquiry into the conduct of the mutineers of the Belvidere, directed, I should observe, by the Select Committee of Supracargoes at Canton. They were punished according to the sentence awarded. Captain Dundas was brought to trial in England, most fully acquitted, and complimented by the judges, who declared their high opinion of his firmness and moderation: the Commodore also received the approbation of the Court of Directors, who defrayed all the law-expenses. This was as things should be and ought to be.

Extracts from the outward-bound Passage and subsequent Shipwreck of the Hon. Company's Ship Cabalva, in 1818.

"Soon after crossing the line, in our outward-bound passage, in May, 1818, a rather serious mutiny broke out among the crew of the Hon. Company's ship Cabalva, which might have proved fatal, had it not been for the resolute and determined conduct of Captain James Dalrymple, and his officers. While the captain was dining on board the Hon. Company's ship Lady Melville, then in company,

the chief mate turned the hands out to reef top-sails, at the same time with the other ship; thus creating a more than ordinary degree of excitement and emulation. Unfortunately, in the performance of this evolution, the fore top-sail was split through some neglect or want of attention, and the second mate immediately picked out, and complained of those men he considered in fault, who were started before all hands on the quarter-deck, by orders of the chief mate. This created a good deal of discontent and grumbling among the ship's company, and several fore-castle-men came forward, even while the punishment was going on, and spoke against it in very high terms, making use of insolent and mutinous language. These were instantly confined in irons, which gave rise to still more dissatisfaction, and when Captain Dalrymple returned on board, about eight o'clock at night, the hands were turned out to punishment, after a short investigation having taken place, on the conduct of the prisoners.

" Lanterns were provided, and stationed in different parts of the quarter deck, it being a very dark night, and one of the prisoners was handed up, and seized to the gratings. The captain then made a short speech on the misbehaviour of the prisoners, and ended, by saying that he should make an example of them, and sentenced them to four dozen lashes each, the people being apparently in a state of

great excitement all the time. Captain Dalrymple then ordered the boatswain to do his duty, who was ready to lay on the first lash, when a volley of belaying pins and short iron bolts came rattling among the officers, while a rush was made from the other side of the quarter-deck, and the boatswain was seized and prevented from doing his duty, with cries and shouts of, "now one and all, now all together, d—d if we'll have any flogging," &c., the officers in the mean time scuffling with some who were trying to cut the prisoner down. "Hand the arms up!" was immediately the captain's order, and was as quickly executed, as they were all in readiness in the steerage. Our party was thus well armed in a very short time, and the mutineers forced back to the other side of the deck. We thus, with the assistance of servants and petty officers, who fortunately embraced our cause, made no despicable show, and Captain Dalrymple, stepping forward and drawing his sword, exclaimed—"now, my lads, I think we are a match for you!" Orders had previously been given, upon the first discharge of belaying pins and iron bolts, for an officer to repair to each top; for we suspected, not without reason, to find some of the crew stationed there ready to repeat the dose. It thus fell to my lot to run up in the main top with a cutlass and pistol, and, considering the darkness of the night, and the probability of finding half a dozen resolute topmen

ready to give a warm reception, I felt any thing but comfortable in mind, body, or estate, while groping my way up through lubber's hole. Not a soul however was found in either of the tops, and the first prisoner received his sentence in the mean time. The second being seized up and the boatswain ready to inflict punishment, we had another discharge of belaying pins and iron bolts, accompanied with a rush from the other side and shouts, though the sight of arms and the determined conduct of the officers soon quieted them again. Fortunately one of the ringleaders was discovered, during the last assault, in the act of heaving a piece of old iron from the lee-side over to windward, which shews that most of them had provided themselves with these weapons previous to their coming aft on the quarter-deck; this fellow was immediately seized up and punished with six dozen lashes. Five more were thus punished without any farther disturbance taking place, and the people were dismissed and sent to their duty about eleven o'clock, though not without grumbling and dissatisfaction; a piece of iron being, even then, thrown aft on the quarter-deck from the armourer's forge. The officers were kept under arms all night, and the ship's company in that state that we were afraid to carry sail, for fear of not being able to take them in again.

" I shall not attempt to enlarge on our subse-

quent shipwreck on the Cardagos, Guarragos, or Carrajbs shoal, though I cannot avoid introducing some particulars that may appear unconnected with our present subject.

" On the 7th of July, 1818, at half-past four in the morning, the looker-out on the forecastle gave the alarm of breakers on the larboard bow, and though the helm was immediately put aport, the ship struck while in the act of rounding to, and was reduced to a complete wreck in less than half an hour. Captain Dalrymple, the surgeon's mate, and sixteen hands, perished; all the rest were saved on the adjoining coral reef, over which the surf broke violently.

" It was evident we could not long have existed here; several parties, therefore, very soon dispersed in quest of dry land; and, in the course of the day, after much toil and fatigue, reached a chain of low sandbanks, on the highest of which all the crew assembled before night, with the exception of the fifth mate and eight hands, who had been left in charge of our large cutter, (being the only boat saved,) within a very short distance of the wreck.

" The first night was spent under anxious apprehensions of the sandbank overflowing; and our first impression, at daylight next morning, was hunger, without any prospect of appeasing it, as no provisions had been saved.

" A strong party was therefore despatched to the

wreck, headed by the chief mate, to look for food, and transport the large cutter to the sandbank, if possible. In approaching the spot we found the large cutter had been removed to another part of the reef, nearer the sea, and the men showed an air of defiance, and would not allow us to come near the boat, till the chief mate, fortunately then coming up with a strong party, gave them to understand that resistance was perfectly useless. They then submitted, and one of them took the chief mate on one side, and discovered the plot, persuading him, at the same time, to join them secretly, and that they intended to launch the boat that day, and run away. This might have proved fatal to us all, had it been carried into execution, she being unfit for sea in her present state, without masts, sails, rudder, and without any fixed plan of navigating her. The same boat afterwards proved the means of saving all the crew.*

"During our stay on the sandbank, the crew behaved well on the whole, though some disaffected

* The Beer-Island party prove the lawless characters Captain Dalrymple had to subdue in May. How fatal would have been the effects of their disgraceful conduct had they stole the cutter, or mastered the orderly portion of the Cabalva's crew, may be imagined, when it is recollected the sandbank on which they gained refuge, is at times overflown. Their miraculous escape is owing to the skill and ability which brought so many beings relief, and forms a valuable lesson on the necessity of subordination.

among them formed a new settlement, by degrees, on a sandbank about three miles from our head-quarters, which soon increased to an alarming degree. This colony was quite unconnected with ours, and by no means on terms of friendship; they openly defied the orders of their officers and superiors, and principally lived upon fish, turtle-eggs, and beer, twenty casks of the latter having washed up there by accident. They lived without any sort of order, command, or care for to-morrow; half naked, and partly well armed with cutlasses, muskets, tomahawks, pistols, boarding-pikes, and carving-knives. Fortunately, they always found a pretty good supply of fish; as they had nothing else to depend on, we were under constant apprehensions of being attacked by them, and kept a very good look out at night, with peremptory orders to shoot the first man that came within a certain distance of our stock of provisions.

"In the mean time, the large cutter was sent to the Isle of France for assistance, where we fortunately found His Majesty's frigate Magicienne, who immediately returned to the shoal, and rescued the remainder of the crew.

"By the time the frigate arrived, the Beer-Island gang, (the name we generally gave to this disaffected colony,) had increased to an alarming degree, and became very troublesome; indeed, one of the officers said that they hardly expected to have held

out much longer, when the frigate, most opportunely, hove in sight, and put an end to all their troubles. Some of the Beer Islanders even then were obliged to be taken away by force, and would, on no account leave the sand till all the casks were emptied."

In noticing this interesting, but calamitous, narrative, all that I can say about the harsh system of starting, in this case, is, that during that period it was customary. Thanks to humanity, a system that was in operation when anger was excited by the heat of the moment, has been wearing away, and, I hope, is universally exploded as a mode of punishment. Now, had the crew of the Cabalva quietly waited until Captain Dalrymple's return, and, in that spirit which became British seamen, made known their complaints, sure I am that they would have received redress. But it cannot be too often repeated, that disaffection and threats defeat the very object aggrieved persons have in view. The ship's company having assumed the daring attitude of defiance, nay more, having become assailants, it is impossible to withhold the tribute of respect due to the resolute and determined spirit which Captain Dalrymple displayed. Cool and forbearing, even under such

exceeding provocation, he gave orders to arm; and even when ready to crush the violence of mutiny by weapons of death in his hands, the same missiles, from the concealed hands of the mutineers, again showered down upon himself and officers; yet, under this further trial, he stayed the power of vengeance, ready to hurl destruction on such wanton aggression.* No blood was shed! the cat-o'-nine-tails restored order; and without this efficacious remedy, other and more *terrible examples must have been made.* I was not personally acquainted with Captain Dalrymple, of the Cabalva, but had the pleasure of being on terms of intimacy with his brother, Captain Robert Stair Dalrymple, of the Vansittart, and always heard them both spoken of as uniting the same manly and amiable qualities.

Captain Robert Stair Dalrymple died, in China, in 1820, ennobled by high family connexions, but still more by personal endowments. I never knew an officer who so happily blended the *suaviter in modo* with the *fortiter in re.*

The officers in the Honourable Company's service, by a *limited* subscription, testified their high regard for his character, by erecting a monument to his memory in the church of his native town, North Berwick.

* Martial law would, without doubt, have consigned the man detected throwing a belaying-pin at his commander or superior officers, in the execution of their duty, to the fore-yard-arm.

To the worth of each of these lamented brothers the following lines might have been justly applied:—

> "Why do all men bless him as he goes?
> Why at his presence shrink his foes?
>   Why do the brave all strive his honour to defend?
> Why through the world is he distinguished most
> By titles which but few can boast,
>   A most just master and a faithful friend."

I must now endeavour to do justice to that part of the narrative which the modesty of Mr. Francken, who kindly favoured me with the memoranda, has omitted. Mr. Ayres, the purser, and Mr. Francken and a boat's crew volunteered their services, and, without a compass, crossed the sea from the sand-bank to the Isle of France, a distance of more than three hundred miles, in an open boat, and in a rough sea: they were three days and nights on this adventurous and most praiseworthy duty. Having most admirably performed this arduous task, they enjoyed the enviable reward and gratification of returning to their shipmates, and being the instruments of their happy deliverance. Mr. Francken received the thanks of the Court of Directors and a valuable sextant, as a mark of their approbation. He must ever reflect with pride on the noble part he acted; and every one of the cutter's crew will cherish the remembrance of that event as the most grateful and joyous of their lives.

Hon. Company's Ship, Princess Charlotte of Wales, Diamond Harbour, 1825.

The unpleasant duty having devolved on me to prefer charges against two of my officers, they were summoned to Calcutta, before a Court of Inquiry, directed by orders of the Government.

When the hour arrived for their departure from the ship, these officers thought proper to excite a feeling on the part of the ship's company by distributing grog, in their mess-berth, to all hands,—the crew being aware these officers had been, for some time, under an arrest, and were about to take their trial. Thus excited, the ship's company rushed on deck, without the chief mate being in the least prepared for such a display, and totally ignorant of the encouragement the men had received, and gave three cheers to the officers, immediately after they quitted the ship; and, strange to tell, the officers stood up in their boat and returned the cheers. The chief mate quickly attempted to restore order,—was violently struck by a seaman, and, in the evening, an attempt was made to steal the liquor-cask off the quarter-deck. I was in Calcutta; laid so glaring a breach of discipline before the government; framed an additional charge against the officers: when, after a long and very impartial investigation, one was dismissed the ser-

vice; the other, by my permission, was allowed to escape by a pledge of future amendment in open court. After this inquiry, I proceeded to the ship, —examined into the conduct of the seaman,—found him guilty, and punished him accorindgly.*

Hon. Company's Ship, Farquharson, Urmston's Bay, China.

As a further proof of the prevailing spirit which has so thoroughly disturbed good order and necessary subordination on board ship of late, I must, in justice to the subject, quote the following extracts from the log of the Farquharson.

Oct. 17th, 1829.—At 9, p. m. confined John Coltman, on suspicion of theft in the third officer's berth.

At 9 h. 30 m. p. m. three seamen came aft, on the quarter-deck, demanding to know why the prisoner had been confined. Being told the offence with which he was charged, they insisted that he was not guilty; and that they would not leave the quarter-deck till he was released, which excited suspicion that they were implicated in the theft. Confined them also.

* This may serve as a lesson to every one how dangerous it is to tamper with men; how easily they are incited to insubordination; and how mortifying to the feelings of those who, in an unguarded moment, lead men astray, and are the cause of their being punished.

Oct. 18th.—Held an inquiry into the conduct of John Coltman, charged with theft. He was found guilty,—punished him according to the sentence. The three men, who demanded his release, were punished at the gangway also.

At St. Helena.

July 1st, 1830.—This ship anchored in St. Helena Roads, some time after noon, and between 5 and 6, p.m. a number of the ship's company, very unexpectedly, gave three cheers, and began to conduct themselves in a tumultuous manner. Capt. Cruickshank immediately, on hearing the noise, went forward and succeeded in getting all hands below. J. Glover, A. M'Claren, T. Taylor, able seamen, and L. V. Brackaussen, carpenter's mate, appeared to be the ringleaders. On being questioned as to the cause of their riotous conduct, said they saw a man sent aft on the poop of the Inglis.

July 2d.—At 6, a.m. Mr. Jobling, chief officer, reported to the captain, that J. Glover, one of the ringleaders of the disturbance last night, refused to go to his duty, saying he was a deserter from his Majesty's ship Ariadne, now in the roads: placed him in confinement. At 10, a.m. Capt. Cruickshank reported this circumstance to Capt. Rennie, of his Majesty's ship Ariadne. At noon, the Hon. the Governor and suite, with Capt. Rennie, came on board, when the hands were turned out to mus-

ter. The Governor, Capt. Rennie, and Capt. Cruickshank, then called upon the crew to state their grievances. Not a man came forward. The Governor gave them a severe reprimand; requested the captain to place the ringleaders in confinement; appointed a court of inquiry to be held, composed of the several commanders of Company's ships, then in the roads. They were found guilty, and punished accordingly at the gangway, except T. Taylor, who was ordered into solitary confinement, and on bread and water for a month. Can any case more fully urge the necessity which exists for protecting the discipline of a ship than this? A crew, observing a man on board another ship being placed in confinement, ignorant of the cause, dare to set themselves up as arbiters of right and wrong. Having no cause for complaint on board their own ship, yet they presume to disturb the good order there established. Capt. Cruickshank took firm and decisive measures, otherwise this indication of revolt would not have been so easily subdued.

Fighting and quarrelling are offences, which, on board ship, must be checked and put down. The Irish seamen may be arrayed against English, if in a lawless state, and one blow cause another, until something more serious takes place. A remarkable case of this kind happened on board the Duke of York; and, from jarring and wrangling, the blood of one party became so inflamed, that they resolved to

have a regular built set-to: the tolling of the midnight bell was the preconcerted signal. It so happened that the captain and chief mate were walking the quarter-deck; their attention was roused, and the whole affair blown. A few shillalahs were at hand, and some soft blows had been given, which were beyond a joke. However, fortunately, all were agreed on one point, viz. the necessity of discipline, which, in discharge of their duty, all had observed, and a remonstrance from the captain, on the following day, set the matter at rest.

On board the Royal George, having upwards of 400 recruits, chiefly Irish, it was my intention to keep up St. Patrick's Day, in the evening, by a dress and fancy ball; in the afternoon, some seamen, with hay and straw bands, cut some capers as Irish hay-makers, which did not please the Kilkenny and Tipperary boys. It required some ingenuity to smooth this matter over; however, all were pacified, and the evening was celebrated with mirth and good humour.

Every exertion should always be made, on board ship, to blend the feelings and peculiarities of soldiers and seamen by the tie of unanimity.

Ship Orient, at Sea, 1825, *bound to China.*

July 15. Confined M. Kisley, ordinary seaman, for disobedience of orders he received from Mr. Rouse, third mate, and open mutinous conduct to

the chief mate: at noon, turned the hands out, and gave the prisoner up to the ship's company to punish; when out of confinement he again threatened to stab the chief mate; he was cobbed by the ship's company, and placed again in confinement.

July 16. At nine, a. m. the prisoner was released, in consequence of receiving a letter from the ship's company, stating, that if the prisoner was given up to them, they would bind themselves for his future good conduct, or most severely punish him, should he commit another offence. Considering this method of proceeding would have a better effect upon a character of the prisoner's description, than a punishment at the gang-way, the chief mate acquiesced in this opinion, complied with their request, and released the prisoner accordingly.

Aug. 2. At four, p. m. confined on the poop Wm. Warren, (s), for disobeying Captain White's orders; at seven, p. m. when in the act of taking the prisoner below, out of the rain, he rushed forward between decks, and we had great difficulty in securing him; in the act of bringing him up, he struck the boatswain, and was exceedingly mutinous.

Aug. 9. Released from confinement W. Warren, in consequence of an application from Mr. Fisher, surgeon; the prisoner did not betray the least contrition for his past conduct.

Aug. 21. At nine, p. m. confined J. Wilson, (s), for striking Mr. Mingey, midshipman.

Aug. 23. Held a Court of Inquiry into the conduct of J. Wilson; when, it being an unanimous opinion that he did not intend to have struck Mr. Mingey, but mistook him for the person who had lowered his hammock down, released him, on his begging that young gentleman's pardon.

Saturday, Oct. 22, 1825. At 4h. 30m. p. m. confined M. Kirby, ordinary seaman, for abusive language and disobedience of orders to Mr. Rouse, third mate and refusing to come on deck when sent for by Captain White. At five, handcuffed the prisoner, in consequence of his insolence to Captain White.

At ten, a. m. assembled a Court of Inquiry, to investigate the conduct of Martin Kirby.

Oct. 23. At 30m. past noon, M. Kirby was found guilty of the charges preferred against him: preparations were made for carrying into effect the sentence of the Court of Inquiry; the hands were turned out; when, on Cnptain White addressing them, the greater part kept their hats and caps on, contrary to former usage; he immediately ordered them to take off their caps; several disregarded the order in the most contemptuous manner, and exclaimed, there was no martial law, flogging was not allowed in a merchantman; they did not know

before that they were in a man-of-war! W. Wooldrich, J. Thurlston, J. Brodie, and J. Broker, seamen, were particularly forward, repeating these expressions, and they kept on their caps. On Captain White pointedly ordering W. Wooldrich to take off his cap, he stood in a posture of defiance; on which, Captain White struck him with his sword, and slightly grazed his hand, when he and others took off their caps. Captain White then stated, that Kirby's conduct was so highly mutinous that he was determined to punish him; upon which J. Brooks called aloud to the ship's company, let us go forward, and turned round for that purpose; several men, at the same time, rushed forward and below; when Captain White called out to seize Brooks; he was immediately laid hold of by the chief mate, when J. Hurlestone attempted to rescue him, by dragging him forward. Captain White, on seeing this open act of mutiny, struck him on the shoulder with his sword; he immediately desisted, and ran forward with several others; he seized a piece of iron hoop, and stood on the top of the booms, on the larboard side, evidently with an intention to defend himself. On the chief mate shewing a pistol, he dropped the hoop, and was driven aft, with Wooldrich, who had seized a scrubbing-brush, J. Broker, D. Martin, and several others; and J. Evans, W. Warren, C. Christian, and G. Ralph, who were found below by the fourth

mate. J. Brooks was then brought to the starboard side of the quarter-deck; and after some delay, in consequence of his resistance, was seized up for punishment. During the time of his being secured and being seized up, he threatened, if he was punished, he would set fire to the ship, and called upon the ship's company to go below, and to let them take the ship on themselves; that he would do for some of us, he did not care who it was, the first he came across; that they (meaning the ship's company,) were afraid of a cutlas; wished to God he had one, he would make good use of it; why did they not stand by him, or go below? that all this should be put in black and white, which would speak by and by; that he would leave the ship at Penang, if there was a man-of-war there; then drew his knife, and attempted to cut some one of those who were seizing him up; the knife was, however, secured, after he had slightly cut one of the boatswain's fingers. He was then punished with two dozen and five lashes, having repeatedly begged pardon, and to be forgiven; that he never would act so foolishly again; that he was sensible of his error. He was taken down, and placed aft, by the cuddy-door. M. Kirby was then seized up, and punished, he having repeatedly begged pardon; was remanded in confinement, it being considered unsafe to let him at large, as he had often threatened the life of Captain White and officers in the

most determined and daring manner. The ship's company remained quiet, with the exception of George Ralph, who muttered some words that were not distinctly heard. Captain White then addressed them on their mutinous conduct, and that of the two men who had been punished; that they must be aware of the act they were committing; and all knew what a desperate villain Kirby was; that he had been forgiven before, and had just been guilty of the most abusive and threatening language to himself and officers, and threatened their lives: painful as it was to him to punish, he had been forced by their misconduct to that duty. He had always desired them to make known, on the quarter-deck, any grievances, if they had any; and desired them to state any cause for complaint, or explain why they had acted in such a mutinous way. Several men, Wooldrich, Crote, and Wilson replied, they wanted some more biscuit. Captain W. asked why they had not said so before? to which they made no reply. He then asked them if they wanted any thing else? Several replied, No! He asked if they had too much work? the greater part answered, No.—After a suitable admonition, from Captain White, the ship's company were piped down, and J. Brooks released.

At 4, p.m. Confined in irons G. Ralph, seaman, for neglect of duty and very mutinous conduct towards Mr. Salmon, fourth mate.

Oct. 24, at 10h. 30m. a.m. held a Court of Inquiry into the conduct of the prisoner, G. Ralph, when the charges preferred against him being duly proved, sentenced him to an exemplary punishment at the gangway.

At 30 m. past noon turned the hands out; punished G. Ralph, remitting a portion of the sentence, on his contrition and promise of future good behaviour.

On the 22d of Nov. at Penang, J. Brooks gave himself up to his Majesty's ship Tamar, as a deserter from the navy.

After the necessary examples the refractory portion of the Orient's crew obliged their commander to make, that ship pursued her voyage to China, thence to Quebec, and London. The crew conducted themselves remarkably well from the 22d of November, 1825, till the 18th of November, 1826. It is due to Captain White's well-known character in the Company's service to state thus publicly that a more mild or impartial officer never commanded a ship in the merchants' service. The extracts from the log-book fully prove the lenient measures pursued on board the Orient, until the final struggle for mastery took place, when Captain White, with only a few officers to support him, having but one passenger, a writer, the son of an East-India Director, on board, by a happy union of firmness and decision, preserved the discipline of his ship, and

prevented any recurrence of such a daring attempt to dispute his authority.

W. Woldrich issued a writ against his Commander for wounding him. Captain White detained witnesses, and was all prepared; but, when the day of trial came, this sneaking plaintiff absconded. Captain White, through this malicious attack, incurred law-expenses to the amount of £50.

Captain Bathie, of the Hon. Company's ship Lowther-Castle, has had the misfortune to sustain the malevolence of those insidious attacks to which all officers in the merchant-service are liable. He had a miscreant on board, outward-bound, who endeavoured to create a spirit of insubordination, and contemplated the seizure of arms; but vigilance and firmness preserved good order in that ship. Leaving the leaven of malice; however, as it is possible matters relevant thereto may disclose the true state of the case to which I allude, I forbear further notice of this subject than giving my testimony to the high and most excellent character Captain Bathie has ever upheld in the Company's service: I have known him since 1815.*

There have been other very serious attempts to excite disaffection in the Honourable Company's

* In the Appendix will be found an example of promptitude reflecting the highest credit on Captain Bathie's firmness and forbearance.

service. With all the reluctance on the part of those concerned, and who ought to feel a corresponding interest in these matters, I have, chiefly by accident, unfolded a pretty good specimen of a sea life. Beyond these proofs, I know that a serious mutiny broke out on board the Woodford, Captain Lennox, in 1796. On board the Hon. Company's ship, Castle-Huntley, Captain Paterson, there was a decided spirit of disaffection, and, did not the limits of this work, and the patience of my reader, check my zeal in the cause, I verily believe I could double the number of cases here produced; but sufficient for the present is the evil thereof.

Some of Captain Welstead's crew having volunteered on board a man-of-war, a scoundrel of a fellow, thinking all subordination at an end on board the General Harris, became exceedingly abusive to Captain Welstead; upon which Captain Welstead requested the volunteers might be allowed to remain as part of his crew twenty-four hours longer. Williams, the ungrateful vagabond, who had no real cause to insult his generous commander, whose mild and gentlemanly conduct is known throughout the service, and by many in the navy, received a good flogging, and was so thoroughly scouted on board the man-of-war, that none would receive him in their mess, and the fellow never got over the disgrace attached to his base ingratitude.

The Hon. Company's Ship, Ocean, January 31*st*, 1797, *wrecked on the Island of Kalatea, in the Pacific Ocean.*

Blowing fresh, with excessive hard squalls at times, Capt. Farquharson made the signal for the Ocean (Capt. Patton) to come within hail: both were of opinion the land seen was the Postillions. At three, land was seen to the eastward and southward of what we had already seen, which convinced Capt. Patton the first land was not the Postillions, but islands to the eastward, and he hoped the commodore would lay-too for the night. Upon seeing the land, the commodore hauled to the southward till 9, p. m., when he made the signal to haul our wind on the starboard tack.

We stood on till 1, a.m., when land was seen on the lee-bow, towards which we were settling fast. The commodore then made the signal to tack: the current was strong, and, being close hauled, we neared the land fast. When we had almost weathered the point of the island, an excessively severe squall took us, in which our main-sail was split in pieces,—jib and fore sheet carried away: we drifted bodily to leeward, and had approached so near as to see, though the night was exceedingly dark, the breakers at no great distance, stretching a considerable way from the land; soon after, saw them close under our lee-bow; put the helm down; but, from our disabled state at this critical moment, missed stays; sounded, no ground at fifty fathoms; almost

upon the breakers; let go the anchor, and, at the same moment, the ship struck; at this time, the commodore was only a short distance a-head. A few minutes before we struck, his light was on our lee-bow. The *Taunton-Castle, a short way upon our weather quarter, weathered the breakers by not* more than a cable's length. We fired guns of distress, and when day dawned hoisted our ensign union down. At first the ship struck hard, till, from the great sea and breakers all round, she was lifted and bedded, with two fathoms on one side and four fathoms on the other: out spars and shored her up,—made the ship snug; ship lying quiet amongst rocks and sand, but hanging a-midships, and her decks betrayed how much the ship had strained already. Capt. Patton now assembled the crew, and represented to them our peculiar situation; inculcating the necessity of obedience and good order for our mutual safety, in the event of being compelled to quit the ship before our friends could come to our relief. They, to a man, promised obedience. At 11, a. m. it moderated,—got the boats out,—veered the long boat inside of the reef, in a small bay near the ship. As yet the ship had made no water, but carried away the rudder from striking hard. Got the powder and biscuit, in the captain's cabin, ready to send to the long-boat. Sent the third officer on shore, in the cutter, to learn the best landing place, and what prospects the island afforded, which, to all appearance, was

covered with wood, and the only sign of inhabitants was a hut in a grove of cocoa-nut trees. The cutter returned with four Malays, natives of the island. A German on board understood the Malayan language, and we had hopes, from the seeming friendly disposition of the strangers, of finding them useful. Their appearance was wretched and savage;—sent them to the long-boat, from whence they swam on shore. It now began to blow fresh again; the ship lifting and striking hard; the jolly-boat, with three boys, broke adrift, and was upset in the surf; one of the boys was thrown from her; the other two were in imminent danger. Sent the cutter to her assistance; in the act of picking these poor lads up she got broadside on to the surf, and was likewise upset, with nine men in her. The gale increasing, presented a scene to all on board most distressing: men swimming in all directions, crying for help, and we could render none. The yawl having gone to the long-boat, without a possibility of getting through the surf to rescue their shipmates. Some of them were clinging to oars, in hopes of assistance,—some swam to the shore,—others apparently exhausted, or in despair, were dashed about as the waves listed. Although blowing too fresh for the yawl to return to the ship; yet, a strong tide, aided by the wind, swung the ship broadside to the reef, and enabled the yawl to fetch up under her lee. Mr. Robson, with great skill and promptitude, got safe through the surf; picked up seven men alive;

two swam on shore, and three were unfortunately drowned. The ship beating hard, and heeling over considerably, cut away the masts, and threw the larboard guns overboard; that side of the gun-deck being full of water. After having saved these men, Mr. Robson hauled the jolly-boat up on the beach, and was returning to the ship, with those who had not suffered much, leaving the most exhausted on shore with the Malays; when he had almost reached the ship, a sudden swell broached the yawl too, and upset her;—*our last stay.* We had now no means of relief in our power, and night coming on, with the hapless crew now left to darkness, and, we thought, to inevitable death. Nothing was left but resignation to our fate till dawn of day. The ship could not hold together much longer, if the gale continued. Some went to rest,—others to brood over the melancholy scene night had just closed from their view. The ship continued striking with great violence until midnight, when the gale moderated; towards daylight we lay almost steady, with a moderate breeze and little surf. Hope revived,—despondency gave way to the cheering presence of dawning day.

The face of heaven never shone fairer, and the sun rose in corresponding splendour and beauty, as if to dispel the gloomy forebodings, which dark and dreary night, and the doubtful fate of our poor shipmates had contracted. The ship was inevitably lost: our sole thoughts were directed to the shore,

and the safety of our lives. Most joyful was the welcome sight of Mr. Robson, and his fellow-sufferers, safe upon the beach. We now constructed a catamaran,* and the weather being moderate, were able to paddle on it to the long-boat; from her, by means of a coir warp, we were enabled to establish a communication between the ship and the shore, and, by this means, the long-boat was veered alongside, and sent on shore with bread and powder. Made several trips during the day, and got sails, spars, and necessaries for erecting tents on shore. At noon, we were visited by the rajah of the island, about thirty years of age, of mean and wretched appearance, but seemingly inclined to pity and assist us. He promised supplies of provisions, &c. when we were safe on shore. At 2, p. m. by means of the long-boat and catamaran, most of the crew had got on shore; and at three, Capt. Patton, with the officers, abandoned the ship, leaving the gunner and three men to prevent the Malays getting at the wreck. When we got on shore, we found a few of the men had obtained liquor, and had behaved in an insolent manner to several of the officers. Captain Patton mustered the whole crew, and pointed out the necessity for good conduct and obedience to orders; he shewed them their late

* A catamaran consists of logs of wood or spars lashed together; it is, in fact, a small raft, much and dexterously used at Madras.

floating castle, now a wreck, reminded them of their exemplary conduct, and the respect they had ever paid to her quarter-deck, and, in an animating manner, described their noble behaviour; when, by a resolute shew of true British courage, a few days ago, six Indiamen had put to flight a French Admiral and a squadron of heavy frigates. Now, my lads, we have greater trials to sustain, hardships of the most cruel nature to encounter, and probably enemies of the worst and most barbarous kind to face; savages, who will think it a proud triumph to sacrifice us to their wanton cruelty; ah, even to drink our blood! These dangers, my lads, you must face like men; you must be true to me and my officers, and we will carry you through all difficulties. Captain Patton then severely repremanded those who had been refractory, and threatened to punish most severely the first transgressor, and was answered, on all sides, by a promise of obedience. Reports were occasionally circulated that the other ships had been seen to leeward of the island, and that one was beating up to gain anchorage; this inspired fresh hopes and comfort; the people were employed erecting tents, dug a well, but found the water brackish,—no water procurable, except in the Bay where the cutter first landed, which is at a considerable distance, and the road extremely bad. We are now preparing to mount a guard of twenty-five men every night, as

the general appearance of the natives is calculated to excite suspicion. We have been visited by numbers of them to day, *who appear* friendly, and have brought us water-mellons, yams, &c. which they are glad to exchange for knives, &c.

February 3d. Pleasant and moderate weather; people employed erecting tents and getting sundry stores from the ship,—as sails, cordage, armourer's forge, and three of the quarter-deck guns. Many of the natives are now with us, and bring accounts that there are no ships in sight from the island: certainly they cannot abandon us to our fate upon this savage and barren spot. The Rajah is less open and friendly to day; when we remind him of his promises to supply us with provisions, he appears confused, and replies, his *proper king*, who resided at Bouarate, and others of the islanders, must be consulted. One of the natives, named Swaloo, has two prows; he has lived in the bushes beside us ever since we landed, and promises to carry us to Amboyna, provided our own ship do not arrive; but, as two prows are not sufficient to embark all, he says, we must apply to the Rajah for more, who has moved to leeward of the island. When we mentioned this to the Rajah, his answers were evasive and contradictory. We are doubtful as to the truth of the reports about our ships, and the account given of these prows; it is therefore resolved, that Mr. Robson shall go to leeward to-

morrow in the jolly-boat, to ascertain all these matters. Swaloo promises to accompany him, and to point out his prows: whether this man is a *friend* or a spy remains to be proved. People behave remarkably well, and continue healthy; employed in getting water and various stores.

Feb. 4. Carpenter employed scuttling the ship under the bows, being unable to get at the wet provisions; ship full of water; Mr. Robson and Swaloo absent in the jolly-boat; some natives brought a few fowls and a goat from the Rajah; went with a party of seamen about two miles into the jungle; passed several huts built of bamboos, and thatched with leaves of the cocoa-nut tree, &c. raised by pillars of wood five or six feet above the ground; utensils for cooking of the rudest kind; the inmate of one of these miserable abodes had his iron chopper, which serves for all purposes, of building, cooking, personal defence, &c. Almost all the natives were armed with a creese, said to be generally poisoned. Goats, wild hogs, and poultry, constitute the animal production; but I could not learn that either buffaloes or sheep were known to the natives. Indian-corn, sugar-cane, yams, and melons, are their chief sources of food; there, also, seemed numbers of wood-pigeons.

Feb. 5. Employed cutting and clearing the jungle round our tents, the bay being one complete thicket to the water's edge. At eleven, Mr. Rob-

son returned; no appearance of the ships; he was on board several prows besides Swaloo's; is of opinion they will carry twenty-five men each, with bread and water, to Amboyna.

The Rajah is now with us; says he cannot supply us with prows till he receives an answer from his King; declares a prow had been sent, but having contrary winds, was obliged to put back. We have a further supply of fowls, turtle, fruit, and Indian-corn; the Rajah's conduct is deceitful; we are, therefore, resolved to bring him to terms.

Feb. 6. Blowing fresh, with hard squalls; ship scuttled; got some beef out, being truly in a putrid state. The Rajah visited us again; Captain Patton told him, he knew that he had a number of prows at his disposal; and, as he was deceiving us, Captain P. was resolved to send an officer in the long-boat to Amboyna for a ship; and that her arrival would render such measures necessary, as would not be so agreeable, or so advantageous to him. This appeared to stagger the Rajah, and he quitted the tent, with promises fair enough, of sending the prows to carry us to Amboyna. Swaloo remains with us, and advises us to persist in having prows from the Rajah, and promises to bring us two prows to-morrow, if the wind abates.

Feb. 7. Blowing too hard to expect Swaloo and his vessels round; at noon some canoes arrived with turtle; at two, Swaloo returned, declares he endea-

voured to bring the prows, but it blew too strong; however, some of our crew are positive the fellow never went beyond the watering-bay. The general conduct of all the natives assumes a deceitful and treacherous character; I am strongly of opinion some evil is brooding.

Feb. 8. Moderate and pleasant weather, boatswain and some hands employed rigging the long boat; two men from Macassar have arrived, say they have four prows to leeward, and are willing to carry us to Amboyna, for which they require 400 Spanish dollars for each prow; our captain is happy to yield to such terms; and our only anxiety is that these men may be sincere; they brought rice to this island, and declared they are wholly unconnected with the natives; the bargain is struck, and they promise to bring the prows to morrow, at least we shall have small prows to carry us round, as it may be dangerous to bring the larger to windward; our German interpreter thinks well of these Macassar men, and now says he has doubted the sincerity of the natives all along; assures us the Macassar men know several families at Batavia with whom he is acquainted. Our spirits recover at the prospects of a speedy release, and the joy of rejoining our countrymen, having given over all other hope of release by the arrival of our own ships.

Feb. 9. The Macassar men have arrived and brought nine small prows to carry us round to

leeward; all hands preparing for the voyage; at noon we sent the Macassar men in the jolly boat to put them on board the small prows round the point where they lay, intending to bring them to our bay, as soon as the jolly boat had embarked them; we had the mortification to see them get under weigh and stand to leeward, leaving us ignorant of the cause, and exciting suspicion of their intentions; half an hour after we were visited by the Rajah and Swaloo, who explained this unexpected movement, by stating that the prows belong to the islanders and consequently subject to the Rajah, and his appearance prevented the natives rendering assistance to the Macassar men; the Rajah and Swaloo wish us to have no connexion with the Macassar men and renew their promise of supplying us with prows; their professions are friendly, and they declare we shall have five prows to morrow. I place less reliance in these men; even the scanty supply of provisions they have in a great measure withdrawn for several days. At this moment we appear no nearer the prospect of delivery than we were the day we abandoned our ship. The long boat is, however, ready for sea; some are of opinion she should be sent to Amboyna to give tidings of our fate, but, if our friends cannot come to our assistance, surely they have not passed Amboyna without giving intelligence of our fate.

Feb. 10. Anxiously watching for Swaloo and the

prows,—ship's company healthy and behaving well. At 1, p.m. Swaloo arrived; has brought one prow close to the point; says others are on the way. At three I went to the watering-bay; went on board Swaloo's prow; it appears large enough for twenty-five or thirty men. No accounts from the Macassar men to day. I suppose they cannot act in opposition to the Rajah and Swaloo; we are buoyed up with hopes which we trust in God will be realized.

Feb. 11. In the p. m. sent the jolly boat for water; the officer reported another prow having arrived as large as the former one; Swaloo says the Rajah is hastening the junction of other prows; we have had no supply of provisions for several days; time flies, and we are still on the ebb and flow of suspense; I am fearful we place too much confidence: however, necessity must compel speedy measures from the pressing demand of provisions.

Feb. 12.—Weather favourable; got a few butts of water from the ship, the salt provisions are all putrid. At eleven our Macassar friends revisited us and satisfactorily accounted for their sudden departure and absence; assured us they would convey us to Amboyna, and that at high water the two smallest of their own prows will be alongside the wreck; this inspires more confidence, for if once we get any of these vessels between us and ship, they will be in our power: I am inclined to

place more faith in these people; their appearance is respectable and we have had no cause to doubt their sincerity. After dinner were again visited by Swaloo, who pretends the Rajah is urging the islanders to hasten with their prows to our relief; this fellow's jealousy and hatred of the Macassar men is very evident; he endeavours to excite our fears by insinuations that his rivals intend to entrap and kill us all; however, we distrust the motives, and are persuaded if ever we escape from our present misery it will be through the agency of the Macassar people. I am of opinion, the Rajah is deterred from visiting us just now, suspecting we are impressed with his bad intentions.

Feb. 13. Early this morning the Macassar men came with their prows, got them alongside the ship, loaded them with bread which remained dry in the cabins, and empty water butts, some rope, &c.; they picked up what they could from the wreck and then declared, as they had no more small prows, they must return to leeward with what they had on board, promising to return and take us all with them. This indicated such an appearance of design, that we instantly took alarm and determined at least to secure them; got the prows close in-shore within range of our musketry, and abreast our little battery of six-pounders, threatening to sink them if they attempted to escape, and retaining one of the Macassar men as a hostage in the Cap-

tain's tent, they urged us, by way of regaining our confidence, to send a party of our men as a guard on board the prows, pressing most anxiously to be released; but, fearing some treacherous designs, we resolved not to separate, whatever might be our ultimate fate; they yield with evident reluctance, and would, in my opinion, even give up their prows, could they effect a safe retreat for themselves. God only knows what is in store for us; but we appear to be surrounded with treachery. Swaloo has sent a message, saying, he is waiting for the Rajah.

Captain Patton exercised the officers and ship's company at great guns and small arms, secured our position in the best possible manner to guard against surprise and attack, convinced that neglect or insecurity would tempt these barbarians to try their strength; but united as we happily are, and blessed with health, we have no fear, and set them at defiance. A quantity of arrack has been washed out of the wreck to day, which we hope will drift to sea rather than tempt our men.

Feb. 14, a. m. No accounts from Swaloo or the Rajah. At noon, went to the Fresh Water Bay, where I saw Swaloo, who throws off the mask, and says, unless we dismiss the Macassar men, the Rajah will not assist us; and our connexion with them is the cause of his absence.

We still detain the prows and Macassar men, who seem to feel that we are not to be trifled

with; and, could they get their large prows to windward, which they say is impossible, I verily believe they would quietly receive us all. One of their principal men is permitted to go round to leeward and endeavour to procure more small prows; but we apprehend the mutual distrust and enmity between these men and the natives will render this attempt ineffectual: all is a gloomy state of suspense.

Feb. 15. Went round to Fresh-Water-Bay, with our officers and twelve men, to learn what was going on and endeavour to press two of the small prows, to transport us to the Macassar large ones. Saw Swaloo, who assured us his prows were ready, that he only waited for the Rajah, insisting, at the same time, that, until we dismissed the Macassar men, the prows would not be sent, but promised, when we left him at eight, to accompany the Rajah to our tents at noon: having so often deceived us, we placed little reliance on this fellow's promises. Night came without either of these chiefs making their appearance, and the unanimous opinion of our commander and all hands is that some plot is in agitation for our destruction, and, therefore, came to the resolution of sending a party of officers and forty men to the leeward bay, to bring, by force, such prows as we require, if all other means failed. The Macassar people heartily embrace our cause, and offered to accompany us, which renews our de-

pendence on them; an evident proof that they are not leagued with the other party. Accordingly, at two, p.m. we mustered forty of our best seamen: the captain acquainted them of his intention, and, led on by Messrs. Rogers, Spears, Dundas, Blackburn, Fraser, and myself, we marched, in the best possible order, at three, leaving our little encampment in an excellent posture of defence. Half way on our march, through the woods, we met the Rajah and Swaloo, with a numerous train of attendants, on their way to our tents, some carrying poultry, others cocoa-nuts and plantains, to lull our suspicions, as before; however, our forbearance had been carried to the extremest point; we, therefore, took them with us to the leeward bay. They were much alarmed, seeing such a body of armed men. We gave no reason for our march until we drew our party upon the beach, abreast the prows, and then told the Rajah of our fixed determination to take the prows; that any opposition would be fruitless, but that ample compensation should be made for the hire of his vessels as soon as we got them round. This information caused general consternation among the natives; however, with great reluctance, they yielded to our terms: their number could not be less than one hundred and fifty. Mr. Robson had by this time reached the bay, in the jolly-boat, to embark our men and man the prows. Affairs now seemed to wear a settled aspect; we commenced

embarking, keeping, however, a vigilant watch over all movements on the part of the Rajah's party, doubting not some treacherous attack. All went on well till, with the exception of fifteen, our men had all embarked. This reserve was intended to see the prows off, and return by land. While the last boat was shoving off, the Rajah sneaked off, unobserved; he had twice attempted to effect his escape before, but we detained him. When this boat got alongside the prow, we were surprised by a general firing taking place by three of the prows against the fourth, and the jolly-boat almost swamped with the dead and dying of our own men.

When our men got on board the fourth prow, they unfortunately laid aside their arms and assisted the Malays in getting that prow under weigh; these dastardly assassins, seeing our shipmates thrown off their guard, seized each a man and stabbed him with a creese, with which the Malays were all armed; the jolly-boat was at this moment close alongside this prow with the last of our men that were intended for her, when those who were wounded, leaped from the prow to the jolly-boat; she being full of men, narrowly escaped being swamped.

Robson the brave, defended the gallant remains of his shipmates in the most intrepid manner, beat off the prow, and took signal vengence on her crew. The men on board the other prows defeated the

treachery in store for them, and numbers of the Malays were killed and wounded; one prow only escaped, the only one able to weigh her anchor. Those Malays in the other prows, who escaped the sword of the enraged British, jumped overboard and swam on shore in all directions.

During this horrible scene, we were on the beach without the means of rescuing our devoted shipmates, and surrounded by a ten-fold force of armed savages, expecting every moment to be attacked: nothing daunted, we drew up our small party in close order, ready to fire and charge them; upon which the cowardly rascals fled into the woods, without daring to complete their bloody intentions, leaving us in possession of four prows. During these moments of excitement three of the Macassar people came running to us, entreating that we would not fire or follow the Malays, but stand our ground and be upon our guard; suspecting treachery might still be lurking in ambush, we thought it prudent to yield to this advice, particularly as the jolly-boat was now pulling for the shore, with our suffering shipmates; with much difficulty she gained the beach, when we had the melancholy and distressing sight of four of our companions dead, from the cruel and vindictive stabs of our merciless foe, three expiring and in all the agony of death, and four severely wounded. Three prows were entirely in our possession, the

fourth having got under weigh as soon as their diabolical schemes had partially taken effect; but fearful, lest our weakened party in the other bay might be attacked in our absence, we hailed the prows, desiring they would cut their cables and run on shore. All our men having quitted the prows, we formed in good order, and marched, with all possible speed, to succour our friends, carrying with us, as prisoners, Swaloo and another Malay, caught swimming on shore; but we were grievously afflicted at the loss we had sustained. Swaloo betrays great alarm for his own safety, apprehends we intend to wreak vengeance on him. We can gain no clue from him to discover the authors of the conspiracy, and he urges, in his defence, that those on board his two prows behaved well, which, as far as we can learn, really was the case.

The Macassar people declare, when the Rajah took to flight, he issued orders to his people, that if they gained the victory, to put every man to death, which they would have easily accomplished, had the numerous party on shore been as desperate as those in the fourth prow; our number, when the affray began, being only fifteen to upwards of one hundred, but their plan was not ripe; in fact, we have no doubt that the Rajah's plan was to amuse us with the hope of our escape, lull us into security, and then gather all his forces, overwhelm us,

and close the bloody scene by a general massacre; the fate of our unfortunate companions is written in characters of blood; we feel that the gauntlet is thrown down, and that every attempt will be made to surprise and cut off foraging parties, &c.—Death, famine, and revenge stare us in the face; our resolution is, however, equal to every danger. On reaching the tents, our noble captain and every man partook of the general feeling! grief and detestation filled the minds of every one, and we came to the resolution of embarking in the long-boat, and the small prows to-morrow; all resources having failed us from our poor devoted ship, and every risk being preferable to butchery, which must await every one sent for water or provisions: the Macassar men behave well, and are ready to stand by us. The despair and grief which at first damped the spirits of our brave crew,—some lamenting their lost messmates, others attending and soothing the wounded, whose piercing cries resound through the tents, are rendered still more dreadful from the fears they entertain that every wound is mortal, from the general belief that the deadly creese is poisoned, and from the impending darkness—the dreary companion of misfortune and dismal forebodings,—and, to add to these miseries, two of our agonised shipmates cannot live through the night. I can render them no effectual aid,

one having his bowels cut in pieces and protruding from his belly; the other mortally stabbed in the lungs.

Feb. 16. Lightened the prows of every thing except a short allowance of bread and water for five days for forty men, with the same quantity for those in the long-boat; mustered and divided our crew, forty for each prow, and forty-three for the long-boat; no appearance of a native to-day; our intention of embarking is protracted by the strength of the wind and the high surf; cannot, therefore, trust the long-boat until moderate; prepare for another night on this wretched island, with hopes for the morrow; the two poor fellows died of their wounds; the others are recovering; and our fears of poison seem groundless.

Feb. 17. At one, a. m. being moderate, commenced embarking, by means of the jolly-boat and catamaran; at daylight we were all on board, having spiked our guns, and destroyed the ammunition; at five, got under weigh; got safely through the surf; weathered the reef, in the long-boat, with ease; in the prows with great difficulty, and stood round to leeward of the island, expecting to be joined by the two large Macassar prows; we soon opened a bay, in which we discovered not less than fifty prows, most of them large, which was not a welcome discovery, having had so lamentable a proof of the savage and treacherous character of

these islanders. However, our minds were made up for the worst, resolving to sell our lives dearly; but in the prows we could not act, either for attack or defence, being obliged to stow close in the bottoms of the vessels; they were so crank, that two men more on one side than the other would cause them to upset; our whole support and confidence lay in the long-boat; she had only two Malays, as pilots, on board; she went a-head, and anchored two miles to leeward of the bay; we followed in the prows, when they made the signal to their large ones, which was immediately answered to the apparent satisfaction of the Macassar men, who were apprehensive the Rajah might seize upon their prows. The Macassar captain went in a canoe to the bay; we remained in the greatest anxiety for his return. At two, we were happily joined by our old captain, with one of the large prows, assuring us the other would soon follow. He said, the Rajah had attempted to seize the two prows; but, being armed, they bade him defiance. This happened yesterday; we are all in good spirits at the cheering prospect before us, and begin to regret the good things we have abandoned to the plunder of these rapacious and unfriendly islanders. At five, were joined by the other prows; made a new distribution of our men; and being now dusk, the Macassar people proposed remaining at anchor till day-break; having perfect confidence in them,

we did not object. Enjoyed a sound sleep for the first time for sixteen days and nights; the hopes of being restored to friends and country, calmed the agitated state of our minds, harrowed up, as they had been, by protracted hope and the cruel intervention of keen disappointment; my bed was composed of hard bamboos, my pillow a log of wood; yet sleep seemed more refreshing than any I had ever before enjoyed.

Feb. 18. Pleasant weather, with a steady breeze from the westward; at 7, a. m. got under weigh from the savage island with secret triumph and satisfaction.

Feb. 19. Steady winds, &c. parted company last night from one of the prows.

Feb. 20. At 11, a. m. saw the Toekaems Bessy islands a-head; bore up to the southward of them; prows sail dull; Malays perfectly indifferent to our progress, joined company with the missing prow.

Feb. 21. Variable winds and cloudy, steering E.N.E. for Bouro; heat excessive: when the wind is variable, it is with difficulty we can prevail on the Malays to carry any sail, being customary with them to furl sails and go to sleep till the wind is steady and fair.

Feb. 22. Winds variable; saw the high land of Bouro right a-head.

Feb. 23. Variable winds, with frequent showers of rain; prows much dispersed and unable to close,

owing to light and variable winds. Bouro 12 or 13 leagues a-head! At noon a water-spout of immense size, to the southward of us, which we observed descending from the clouds in a spiral form, gradually increasing as it approached the surface of the sea; when it reached the sea, it formed round its base an increase of circumference, and rising to appearance full 100 yards; it continued in this state upwards of eight minutes, when it gradually diminished from the clouds till it separated from them in the same spiral form as observed on its descent, losing itself in the sea which continued agitated some time afterwards. When the spout had gained its greatest size, a Malay, about 70 years of age, held a bamboo filled with ashes in one hand, and an iron chopper in the other, looking at the water-spout; he commenced pouring the ashes into the sea, cutting them with his chopper as they fell, uttering, as I imagined, a prayer at the time; when the ashes were all expended, he brandished his weapon in the air, and made several flourishes with it in the sea. The spout by this time was on the wane, which the old man, seemingly pleased, no doubt attributed to the charm of his invocation. The other Malays watched this ceremony with deep attention, and betrayed evident signs of joy when the phenomenon vanished. Half an hour after, another water-spout descended in like manner, when the veteran Malay came out, apparently much

enraged, and repeated the ceremony; this spout did not come in contact with the sea, which all appeared to attribute to his intervening power, and he was not a little pleased at the influence and success attending his zeal.

During all this display of superstition we were under the high land of Bouro,—darkness prevailed, and all seemed to threaten impending danger and destruction.*

Feb. 24. Variable winds with a strong westerly current; one of the small prows missing. No water, save what the bounty of heaven bestows in showers of rain, which are frequent and heavy,—close in with Bouro.

Feb. 25. Gained little ground these twenty-four hours; our Malay captain says we shall be able to water at a small island a-head, called Amboloo; the prow still missing at sunset; close in with Amboloo, but, soon getting dark, could not reach anchorage; stood off and on for the night.

* I once saw two water-spouts, during fine, clear, and calm weather: the spout descended spirally, and, when near the water's edge, the foaming of the sea indicated its effects; and the water was distinctly visible rising up the tube, discharging into the cloud to which the spout was attached; and by the rapid supply the darker tints of the cloud shewed its increase of aqueous matter. The spout then gradually and spirally ascended and dispersed.

On another voyage, a whirlwind passed, close astern of the ship, in the most rapid manner, and the surface of the sea was greatly agitated.

Feb. 26. " At daylight made sail and stood in for the anchorage ; at nine anchored close in shore, found plenty of water, and cocoa-nuts ; saw none of the natives, this being the least frequented part of the island ; saw marks of recent fire—with many simply neat burying places; employed chiefly in procuring a supply of water, and in the evening got under weigh, with a fine steady breeze during the night ; at daylight saw Amboyna, Ceram, and a clustre of small islands right a-head, distant twenty or twenty-five leagues ; the small prow still missing: think it probable she got close in to Bouro and has there watered ; at midnight we were close in with Lyrick, on Amboyna, but judged it prudent to lay too until daylight.

Feb. 28. At daylight made sail and stood round for the bay at one, p. m. opened the bay with a fine fair wind ; at eight, anchored under the fort, and met with a generous and friendly reception from our countrymen. *Te Deum!*

Mr. Cannan, surgeon of the Ocean, who favoured me with the MS., which so forcibly describes the horrors of shipwreck and captivity, has also obliged me with an explanatory note to the following purport :—

" The ships could not beat up to succour their ill-fated consort. The Alfred, Captain Farquharson, put into Amboyna, gave tidings of the loss of the Ocean, and despatched five vessels to the relief of her crew ; these, after an unsuccessful attempt to

reach Kalatea, returned to Amboyna. The Taunton-Castle, one of the ships in company, encountered a typhoon, or hurricane, homeward-bound from China, and put into Amboyna, in great distress. Having refitted, Captain Patton, his officers, and some of the crew, embarked in her for England. The greater part of the ship's company entered on board His Majesty's ship, Resistance, Captain Pakenham; which ship was, unfortunately, burnt, (supposed by lightning,) in the Straits of Sunda Banca; one of her crew only escaped; he was on a piece of the wreck, and could not explain by what catastrophe he was so placed.* I saw this poor man afterwards in England, but his intellects were quite gone. The Taunton-Castle arrived in the Downs in a gale of wind, drove into the North Sea in a most perilous state, without anchors, and almost without a sail left. She ranged about for ten days, and was at last picked up by a frigate, and towed into Yarmouth-Roads, where the remaining part of the Ocean's crew left her. Poor Captain Patton, as if the measure of his trials and troubles were to have no limit, arrived at his house, on Blackheath, early in the morning, and, instead of a beloved

* James, in his valuable Naval History, mentions this dreadful event, and relates that thirteen men were saved by a miracle; these were all carried by the Malays to Sumatra; several were murdered; and Scott was the only one who finally escaped,—the person Mr. Cannan saw.

wife, found his servants in mourning; and, when his brother-in-law came to him, and was asked, in despair, 'Where is Mrs. Patton?' the answer was, 'Mrs. Patton is in heaven!'"

In closing this most interesting narrative, it is impossible to avoid noticing the striking resemblance it bears to the noble conduct evinced, under similar circumstances, by Sir M. Maxwell, the officers and crew, of His Majesty's ship Alceste.

Captain Patton, his officers and ship's company displayed, throughout, the most admirable *fortitude, discipline,* and great *forbearance.* The deep and malignant plot, so insiduously planned for their destruction, by the most artful and revengeful race of people in the world, was defeated by bravery and skill; and the hand of vengeance was immediately stayed, when their victory was complete. No further hostility sullied the generous character they had nobly sustained during their calamitous state of suspense and privation.

To place a due value on the exemplary conduct of all belonging to the ill-fated Ocean, and fairly to estimate the blessings of life and liberty, the reward of their noble devotion to rigid order and good discipline,—let us suppose, the momentary impulse of insubordination, which prompted some few of the Ocean's crew had broke out into open mutiny, and that the disaffected portion had sought an alliance with the natives; hostility, of the most deadly na-

ture, would have ensued, and probably all would have fallen under the merciless creese of the Malays, by a general massacre, or a still worse fate, a cruel and lingering life of slavery in the wilds or mines of Borneo, Celebes, or Macassar.

Such would have been the inevitable fate of those misguided men belonging to the Cabalva. Union, a firm and devoted courage, and an ardent attachment to the commander and officers, saved all belonging to the Ocean; and no narrative of shipwreck or captivity so forcibly illustrates the beneficial consequences of discipline, or so truly contrasts subordination with insubordination. The highest credit is due to Captain Patton and his officers; the merit attached to the whole of their conduct is beyond all praise.

Captain Patton afterwards commanded a new ship, of 1200 tons, named the Ocean, and died at sea in 1803. Mr. Rogers, his chief officer, commanded the Admiral Aplin: he was, I believe, third officer of the Halsewell, wrecked in 1786.

The last act of that most excellent and enterprising officer, who justly earned the proud title of Robson the brave, when embarking, was, the liberation of Swaloo, who darted into the woods with the rapidity of lightning.

> "In conscious virtue, men are bold!
> Grief is bold, and makes its owners stout."

The Hon. Company's Ship Bridgewater.

The Hon. Company's ship, Bridgewater, Capt. J. R. Manderson, arrived at Madras, 10th April, 1830, leaky, having been dismasted, in a violent hurricane, on the 4th, 5th, and 6th March, in latitude about 20 S. and longitude about 90 E. The following are extracts from the ship's log-book, 5th March, 1830. During the latter part of Thursday, 4th March, it commenced blowing in heavy gusts from the eastward, with much rain; at 3, a. m. furled the fore-top-sail; the ship scudding easily under close-reefed main-top-sail and reefed fore-sail: at 8, a. m. the sea increased, with violent gusts of wind; got the top-gallant-masts on deck, spritsail-yard, and jib-boom in; about noon the gale increased; deemed it safe to heave the ship to, with her head to the southward, under trysail. Bar. 29. 40. At midnight, blowing a perfect hurricane, and the ship labouring very much, and leaking so as to require the use of the large pumps; considered it necessary to use every effort to ease her; started the water on the gun-deck, cut away the sheet and stream anchors, and threw three of the quarter-deck guns overboard. The morning dawned with a still more threatening appearance, and the barometer still on the decline, 29.30. At noon, blowing with the greatest fury, and the pumps scarcely keeping her free. The sea, during

the night, washed away our two quarter-boats. No observation.

Saturday, 6th March, 1830. The hurricane still blowing with the greatest violence, and immense quantities of water rolling into the ship, having carried away all the starboard netting, and part of the bulwarks. The hatchways all battened down with extra hammock cloth and tarpaulins; cut away the small bower anchor, and threw overboard sixty chests of tea from the gun-room. The sea having split the rudder-coat and damaged the rudder-head, admitted the water into the gun-room. During the night it blew so furious, that we expected every minute to be dismasted. On the try-sail being split, we secured the hammock-cloths in the weather mizen-rigging to keep her as close to the wind as possible. At noon, the barometer down to 28.80; the sea making a complete breach over the ship, having washed away the starboard quarter-gallery and part of the stern frame.

Sunday, 7th March. The wind still blowing furiously, and the sea rolling constantly over the ship. About 4, p.m. cut away the fore-top-mast, which we considered eased the ship a little. The ship now a complete wreck, and the ship's company nearly exhausted, having, from the commencement, worked with the greatest cheerfulness. It was now evident, unless an alteration took place very soon, the ship must founder; the greater part of the

people at the pumps, and still using every exertion. About 6, p. m. four shrouds of the main rigging broke, and the mast rolled over the side, carrying the head of the mizen-mast, cross-jack, and mizen top-sail yard with the wreck. About this time the violence of the gale seemed to abate; by 8, p. m. it was decidedly more moderate, and left with only the foremast and stumps of the main and mizen masts standing, part of the fore-yard having been carried away by the fall of the mainmast. At daylight more moderate, the wind, during the night, having veered to the N.W.; found the ship had strained, and suffered severely in her hull; main and mizen channels broken, as well as several of the iron knees; that the tiller was loose in the rudder-head, and too much sea on to repair it; the ship still making so much water as to require the large pumps constantly going. Held a consultation,—Captain Manderson, the sworn officers, Messrs. Plowden, Gardner, and Anderson, passengers, when it was deemed necessary to endeavour to gain some port in India, for the preservation of the lives of those on board, and that the guns should be thrown overboard, as well as part of her cargo, from the orlop deck, as soon as the weather would permit; it was, also, the general opinion that the ship would not be able to stand another hurricane, it would, therefore, be running great hazard, at this time of the year, to attempt the Isle of France. In furtherance

of this measure a course is shaped for Ceylon. The swell still high, but able to steer to the northward; got the fore yard down, employed rigging it afresh, above six feet having been carried away by the fall of the mainmast.

Monday, 8th March. The wind moderate, from South to S.S.W.; got the fore yard up and bent the sail; set a main-top-gallant sail for a mainsail, and a mizen-top-gallant sail for a cross jack. Got a stage over the stern, and succeeded in wedging the tiller, which was very open; also, threw overboard sixteen of the gun-deck guns and fifty chests of tea, from the fore orlop, to clear the pumps, which got out of order, the ship still requiring to be pumped out, every half-hour, by the large pumps. Find, by our observation at noon, we have been set very much to the southward, and not so much to the westward as was expected. Our chronometers agreeing well. On surveying the gun-deck we found the ship had worked very much during the gale. Repaired the head-pumps, the rivets having been broken from one of the joints. Our sick-list to-day is sixteen, several of the men having been hurt by the rolling of the ship.

The safety of this valuable ship's cargo and lives can only be attributed to the persevering skill and ability which inspired all hands, from the experienced commander, his excellent chief officer, and downwards. And here I must remind my readers

that, unless discipline had blended all these requisites, the Bridgewater and crew would never have survived the tremendous hurricane she encountered. The perilous state she was in proves how miraculous was her escape, which, I again say, can only be attributed to firmness and subordination. The Hon. Company's ship Bridgewater reached Calcutta in May, was docked, surveyed, and condemned.

I must now rest satisfied with the contents of this chapter, which must speak for itself. To all embarked in the commerce of their country valuable information may be gleaned from the interesting subject it embraces;—the young officer may learn when to check the impetuosity of youth, and all may gather useful and invaluable lessons from the dear-bought experience of others; ever bearing in mind that the golden rule is this,—the road to preferment is by the narrow path prescribed by restraint and undeviating discipline, without which all would be a chaos of misery and confusion, peril and danger.

"To stand or fall,
Free in thine own arbitrement it lies."

Milton's Paradise Lost.

CHAPTER III.

Suggestions on the Possibility of checking undue Severity by an impartial System in the necessary Modes of Punishment,—also, by the Abolition of Impressment,—showing how prevalent Crimes are on board Ship, and how imperative is the Necessity which exists to subdue them; together, with Hints as to the Formation of an EFFICIENT CODE OF MARITIME LAW.

> "Cowards are cruel; but the brave
> Love mercy, and delight to save."

> "Temper justice with mercy."

THE subjects for consideration in this chapter are so interwoven with the whole question which now agitates the public mind that in treating upon them I will endeavour to illustrate the doctrines I uphold with impartiality; and, once more, I must impress upon the attention of my readers that, on either side, we must discuss this affair with those feelings of justice which divide the two parties,—*orderly* and *refractory* seamen. "Examples of *justice* must be made for terror to some; examples of *mercy* for comfort to others." Laws have been often abused, to the oppression and

the subversion of that order they were intended to preserve.

The terrible cases of insubordination which crowd the preceding pages must bring conviction to the minds of the most prejudiced persons how perilous is the crisis we have now reached, and that, unless the strong arm of power intervenes, consequences too horrible to dwell upon may speedily supplant speculative notions by facts conveyed in characters of blood. I cannot divest myself of the great probability that crimes may ensue ere the wisdom and justice of Parliament presents the boon we all crave.* Sailors have already embarked on a long voyage, with minds excited and feelings imbued by fatal impressions of their own power; let us hope no blood may be shed before our charter is revealed; should such be the case, the remorse will cling to those who, by mistaken zeal and an overweening desire to gain popularity, have given so powerful an indication to the sailor's cause, without mature reflection; without a full and impartial inquiry, they have published falsehood and calumny to the world, and have even palliated the diabolical acts of mutiny and sedition, by withholding those collateral portions

* As the care of our national commerce redounds more to the riches and prosperity of the public than any other act of government, the state of it should be marked out in every particular reign with greater distinction."—*Addison.*

of information which I know they were in possession of.

This is strong language, but the magnitude and importance of the subject demand that truth and honour should be upheld; and, fearless, therefore, of the lash of criticism, or the stinging abuse which the same power may heap on me, I will not be a traitor to the cause of discipline. An eloquent author observes, that truth should be elicited by every possible means; "towards those who communicate their thoughts in print I cannot but look with a friendly regard, provided there is no tendency in their writings to vice."—*Addison.*

> "Here tears shall flow, from a more generous cause,
> Such tears as patriots shed for dying laws."—*Pope.*

Having been a careful observer of passing events, with the anxiety natural to a British sailor, as to the ways and means of preserving good order, and checking the various abuses which have long tended to degenerate the character of a sailor, I shall proceed to make some few observations upon the several pamphlets which have lately been published on these interesting subjects.* I have long been of opinion that impressment is unjustifiable, barbarous, and only to be called into

* We may easily frame a code of laws suitable to the ideas of landsmen, but where is the power of control to be placed in the event of these laws being inefficient? That's the question.

force when the whole kingdom should rise *en masse* for the preservation of England's weal. The first voyage I was at sea our excellent ship's company were pressed in the Downs, with only one exception, a quarter-master, about sixty years of age. The hardship of this case made a due impression on my mind: we had toiled together during a voyage of twenty-two months: this gallant crew fought our battle against the French Admiral. I indulged the sight of Old England's chalky cliffs, and reckoned upon the few days which would restore me to the welcome of a fond parent and the comforts of a home. How different the fate of my shipmates! many of them married men, fathers, &c. torn from the ship they entered on board in time of peace, without the chance of seeing one loved object, and perhaps never to meet those they parted from again.

Out of the whole crew, one lad only escaped by secreting himself in the fall, amongst hogsties, and barricadoing himself: the lieutenant thought he had jumped overboard, and, after a diligent search, gave him up.

The following lines and extracts from the press, in 1771, indicate the hostile feeling against impressment which then prevailed. The grand *desideratum* is to improve the condition of an English sailor in every possible way, but particularly to shield him from those haunts of vice and misery *on*



shore, which taint his loyalty, and are the focus of discontent and insubordination.

An Elegiac Epistle, from John Halser, who was impressed on his Return from the East Indies, to Susanna his Wife, 1771.

WAS it for this I spent my youthful hours,
And spilt my best blood in my country's cause?
Was it for this I scaled Havanna's towers,
And gave the Gaul and haughty Spaniard laws?
For this the British lion did I place,
Wounded and weak, on Louisburgh's high wall?
Up the steep cliffs with painful footsteps pace,
And see Quebec with gallant Mountcalm fall?

Was it for this, when o'er the ravaged land
Peace stretched her wand, I spurned inglorious ease?
Left my dear babes, to seek a foreign strand,
And braved the dangers of the Indian seas?
Is this the seat of liberty renowned,
For equal freedom, for impartial laws;
Where patient toil with due reward is crowned,
And truth and right determine every cause?

O, no: the rich man riots in his store,
Squanders his ill-gained heaps without a fear,
Fawns to a phantom of tyrannic power,
Nor lends to misery, great as mine, a tear!
While the poor sailor, that through many a moon
Has panted for his home, is swept away;
Refused, with savage taunts, the slightest boon;
Of licensed ruffians an unpitied prey!

"On one day last week, a lieutenant in the navy having impressed three men in the City, carried them before the Lord Mayor for examination, but his lordship, instead of approving what the lieutenant had done, *set the men at liberty* and committed the lieutenant to the Compter.

"Constables attend at all the avenues to the City to prevent the pressgangs from carrying off any persons they may seize within its liberties."

London Chronicle, Jan. 15 and 17, 1771.

The Chronicle relates several excesses committed by pressgangs about this period, and of violent opposition on the part of the people. Without presuming to offer an efficient remedy for this most horrible infringement on the liberties of the subject, beyond one plan in addition to the mode now in operation, of apprentices, &c. I have often thought warrant and steady petty officers might be dispersed in recruiting parties, flags flying, recording our naval triumphs, sketches of glorious feats, anecdotes of splendid exploits, lots of prize money, so honourably gained, &c, improved wages, and milder discipline, all told in Jack's own way,—would be followed by equal if not greater success than attends recruiting for the army or marines. Every guard ship and extra receiving ship to receive and draft these volunteers, who each, though not a seaman. would soon be superior to ten pressed

men,*—I have little doubt the required number of *able* seamen could be otherwise procured.

I quote the following from an able pamphlet on this subject.

"Inhuman and unjust must be the custom that forcibly interferes with the industrious and peaceable occupations of the poor man, disperses his hopes, paralyzes his endeavours, steps between him and every feeling of family affection, and finally obliges him to curse the service—that of his country!—into which he is forced, an unwilling victim, and which he cannot quit without a crime! His father, mother, wife, or children, may be in distress, in extreme misery, from which the high wages he *could* earn are sufficient to remove them; he knows this, and he deserts that service into which he was unjustly dragged: no man, with the common feelings of humanity, can blame him; and where is the man, with a spark of freedom in his composition, that would not do the same?" †

* Lads from sixteen to twenty will soon learn their duty for ordinary purposes on board of a man-of-war; taking it for granted that there are a sufficient number of able seamen to each ship's crew.

† Pepys gives us a melancholy description of impressment in his day (*Diary*, pp. 424–5). "But, Lord! how some poor women did cry; and in my life I never did see such natural expression of passion as I did here, in some women's bewailing themselves, and running to every parcel of men that were brought,

" This picture is not fancy; such events were but too common during the late war: we recollect an instance of a seaman, belonging to one of his Majesty's ships, (we believe a pressed man,) who happened, after some years' absence, to touch at the port where he was born; his aged father and mother, and his sisters, came alongside the ship, to see him, with all the eagerness of family affection, heightened by long separation: unluckily, however, an order had been issued to prevent any woman from coming on board—it was not relaxed in their favour; he then asked permission to go on shore with his family for a few hours, as he was on the eve of a long voyage; this, too, was refused: upon which the poor man, at all risks, determined to pay a last visit to his friends, and swam on shore that night. He returned, however, in the morning, but not before his absence was taken notice of. He was tried, found guilty, but pardoned."

The vexatious mode of pressing from merchant-ships, during the late war, led to such serious con-

one after another, to look for their husbands, and weep over every vessel that went off, thinking they might be there; and looking after the ship as far as ever they could by moone-light—that it grieved me to the heart to hear them. Besides, to see poor patient labouring men, and housekeepers, leaving poor wives and families, taken up on a sudden by strangers, was very hard, and that without press-money, but forced against all law to be gone. It is a great tyranny."

sequences, and has impressed the folly and inutility of such a system on the minds of most men, that we cannot but dread a recurrence of such an evil. I was in one fleet, in 1805, when the supernumeraries which we took at the *owner's expense*, for the navy were taken by the men-of-war, with just as many more as their will and pleasure demanded. This liberal practice, on the part of the owners, sanctioned by the protection of the Admiralty, consequently became a dead letter.*

It is a favourite opinion among naval men, that merchant seamen are so discontented in *harbour*, that they frequently enter into His Majesty's ships.† True, to a certain extent; but let us examine the cause. A man-of-war enters a foreign port, with but little other duty to perform but square the yards and water the ship. Mark the contrast.—An Indiaman in Bombay harbour, stowing and screwing cotton, the thermometer at

* Nevertheless, I am satisfied the merchants and owners would pay and victual a seaman for ever 100 tons, either to the East or West Indies, in the event of another war, and thus recruit men-of-war on foreign stations, rather than risk their ships being distressed as they have been.

† Some unruly characters seek shelter on board a man-of-war, giving themselves up as deserters, to escape the disgrace their own misdeeds have brought upon them; and, with a thorough conviction of a guilty conscience, they fly from the scene of their iniquity.

95, work going on from daylight till dusk. A West-Indiaman, stowing sugar and rum, &c. In a word, the most laborious duties of a merchant-ship are in harbour, while on board the man-of-war all is comparative ease; and we all know how restless, how dissatisfied is the character of a sailor, ever prone to change. From my experience in the merchant-service, I deny that any men-of-war excel the Company's ships, either in medical aid or comforts to the sick.

The scale of provisions, on board a Company's ship is equally liberal with that under the direction of the Admiralty. If *less grog* is served out, our seamen have a larger proportion of *meat;* and every attention is scrupulously paid to the quality of provisions. While upon this subject, I hope Government will take so serious a matter into consideration: it involves the question at issue most materially. Short allowance of provisions,—their bad quality,—and other irregularities, from there being no defined law,—no controlling power over the victualling of merchant-ships, is frequently the source of well-grounded complaint, and fosters that spirit of discontent, which leads to incalculable mischief, and tends very much to the general dislike seamen have to some portion of the merchant-service; a subject of such importance to the welfare and comfort of seamen, is certainly worthy the utmost attention, and should not be liable to the whims and

caprice of owners, who, too often, consult their own mercenary feelings to the prejudice of a class of men, on whose exertions they are dependent, and on whose fidelity and attachment rest the security of the empire: there should be one general rule and scale of provisions throughout ships bound on long voyages.*

In the Company's service, every petty officer and seaman can allot a portion of his pay to his wife or parents, by an absent bond; and they are allowed money or other equivalent for any provisions they may save; and considerable savings are made by every ship's company. How these advantages operate throughout the merchant-service, I cannot tell; but let the whole question be argued with temper and judgement, and rather than curtail one iota, from the most liberal scale of indulgence now established, let it be enlarged, that we may enter the field under the banners of humanity and generosity.

I close these observations by giving the following proofs of the excellent care and preservation of health, on board the Hon. Company's ships, I will

* No one circumstance has operated so favourably in aid of the health and comfort of seamen as the improved mode of victualling ships in the Company's service since I entered it: tea or coffee for their breakfast, &c.; when, from 1803 to 1810, we had no such indulgence.

cite several examples, which may be taken as a fair sample of the general character.

In the Royal George, Captain Gribble, in 1807, we embarked 509 soldiers, of that distinguished regiment, the gallant 14th foot, with their wives and children; including our ship's company, there were on board 660 souls. We had the head-quarters on board, and the good fortune to have the present Major-General Watson as their colonel; a better or a more amiable man never gained that high station: he indeed deserves the envied title of the soldier's friend. Our passage was five months from Portsmouth to Madras: we lost only one man, and he was in a sickly state when the regiment embarked. Never were soldiers in higher order; not a man was punished throughout the passage; and it was gratifying to every one to witness discipline and comfort so happily blended.

In 1823, I commanded the new Royal George, of 1330 tons. We received on board 435 Company's recruits, and, including passengers, we mustered 610 persons. We lost but one man during a passage of four months; and no instance of insubordination occurred,—unanimity prevailed.*

In 1825, in command of the Hon. Company's ship Princess Charlotte of Wales, with the head-quarters of the 97th, a newly raised regiment; altogether we had on board 470 people. We lost one

* Vide Appendix.

soldier, the second day after he embarked, and one seaman. The passage lasted three months and twenty days.

Lieutenant-Colonel Hamilton won the esteem of every one by his noble and generous care of his men.—Soldiers and sailors, we had but one feeling, and parted with mutual regret.*

The General Kyd, Captain Nairne, and Kent, Captain Cobb, carried to India the brave 31st, in 1823; and I had the pleasure of meeting the commanders of those ships, and several of the officers, at a public dinner, given them by Colonel M'Creagh, at Calcutta, and the gratification to hear how healthy and how thoroughly happy all had been throughout the passage.

Commanders of Indiamen support a liberal table, and diffuse more luxuries than men-of-war can do, owing to the superior accommodation for stock on board East-Indiamen. Selfish must he be, who, with such a bountiful source, is heedless of the cares and wants of others! And what can be a more grateful duty to him, who alone, of *the number embarked*, has the means of indulging the noblest gift of God—Charity; and thereby feeds the sick and comforts the distressed. Numerous are the instances of extreme generosity, on the part of commanders, in the service, to their sick, to women and children belonging to troops consigned

* Vide Appendix.

to their care, and destitute of common necessaries, who are the most pitiable objects of benevolence and compassion.

The liberal encouragement for the increase of seamen, by raising boys in the Company's ships, received from the Marine Society's ship, is beyond any scale proposed by the authors I have alluded to. Each ship receives from six to eight; but there is great neglect in the future welfare of these boys on our return. They are turned adrift, contaminated by the evil habits attached to seamen, dragged into the same dissolute receptacles, and become hardened and abandoned characters. There should be some aid and protection given these lads, on their return from a voyage, or all our labours will be in vain.

Some guardian power should guide the future career of these poor youths, who were placed by charity in a suitable asylum, sent thence to sea, merely as a probationary trial, and are tempted into all the haunts of vice on their return. This check could be easily managed. Let there be some reward held out to those Marine Society boys, who produce a certificate of good behaviour on their return home; and let the Committee, who direct that excellent Institution, make it their study to launch these deserving objects again to sea, as early as possible, or, at all events, watch over their habits and character.

An able and experienced officer, to whom the maritime interests of this country are much indebted, describes the condition of a seaman, on board a merchant-ship, as one of peculiar hardship and privation; but when he observed the liability of severe accidents, and the impossibility of medical aid or surgical relief, he forgot to remark that all merchant-ships, trading east of the Cape of Good Hope, (Company's ships and free-traders,) carry surgeons; the former have *two* on board. I yield to his ideas about the superior comforts and ease of duty on board a King's ship; and could a seaman, when once he knew the true character of his officers, be sure of continuing to serve under them, his life would be far preferable to the merchant-seamen's.

> "Who, for the poor renown of being smart,
> Would leave a sting within a brother's heart?"—*Young.*

But as another excellent author upon this subject observes, the man-of-war's man cannot forget "that his happiness or misery, while in the service, solely depends on the personal character of a single individual, who may be repeatedly changed, whose successor may have different notions and views of the service generally; and local regulations, of a nature totally dissimilar, and in many instances diametrically opposite to those which he has been accustomed to obey.

" When seamen are convinced that nothing but an unforeseen exigence, or indispensable necessity, will cause a deviation from the routine of duty prescribed, they know exactly what they have to do; their minds are accordingly made up to the performance of it, and they go through it with alacrity, in order to have the intervals for their own amusement or private occupation."

Regarding that most uncertain part of a seaman's life which so continually tends to destroy his confidence, the liability of *change of administration*, which may blight his present comforts and blast his future hopes, I cannot avoid quoting a third most intelligent author on naval subjects.

" It would be well if the Captains in the Navy could exact as much respect from their officers in their absence, as they are bound to demand in their immediate presence; but, unfortunately the ward-room is too often made the theatre of dispute, which the Captain can neither see nor entirely prevent. Observations and insinuations are continually passing about in the presence of the servants, which are retailed to the crew, who also think themselves entitled to sit in judgement upon the conduct of their superiors. If our young officers would silently examine into the policy or impolicy of any particular orders or line of conduct preserved by their Captains, and, instead of censuring and animad-

verting upon them, would direct their attention to the cause of, and to the good or ill that results from them, they might treasure up for themselves a considerable share of information, and improve their judgement against the arrival of that time in which they might be placed under similar circumstances.

"Good discipline cannot be maintained unless the officers be kept as rigidly at their duty as the men; and the first part of duty is that regard for subordination, without which all else would be confusion. I will just illustrate what I am now touching upon, by an example. Some severe observations had been made in the ward-room of a ship of the line, in which I was serving at the time I am speaking of, upon the character of the Captain, who was just then appointed to command her. He was represented as severe and tyrannical. These remarks went from the ward-room to the crew. By these means such a general prejudice was excited against him as was likely to have been productive of the most serious consequences. When he was coming off, to take the command of the ship, the whole crew rose simultaneously, for the purpose of preventing him from coming on board; and had it not been for the decisive conduct of the lieutenants, who, at the instant, rushed in among the crew, seized the ringleaders, and drove the remainder to

the lower deck, the mischief would not have stopped here."

This admirable author also observes, "It very generally happens that the good or bad conduct of a ship's crew depends on the zeal, ability, firmness, and consistency of conduct maintained by the officers." He recommends, as the best mode of securing a cheerful and smart performance of duties, so as to excite a spirit of emulation among the men,—that "The crew should have all the indulgences that can consistently be granted them, that they should not be unnecessarily harassed, and that their officers should have their welfare at heart, and set them a good example; they will readily undergo privation and execute their respective duties with cheerfulness, particularly if general good conduct be invariably made the only recommendation to indulgences."

Reward and marked distinction should be the prize bestowed on the active, zealous, and orderly men, and denied to the disobedient and refractory. The other day I parleyed with a fine old veteran, in Greenwich-Hospital, who was under Nelson, at Bastia and Calvi, present when the Ca-ira was taken and the Alcide burnt, who wished they had stuck a little closer to Monsieur under Hotham; he was also in the Zealous, at the battle of the Nile. The old fellow happened to slip out a bit of an oath; I checked him, saying we were henceforth to

be the most polished men in society, and that the quarter-deck was to be transferred to the forecastle, and that in fact some merchant-ships had already shipped their capstans on the forecastle, and asked his opinions of some of the gingerbread seamen of the present day. Jack slewed round his quid, saw I was a limb of his profession; why, says he, give me the captain and ship where officers and men are made to do their duty, such as my old commander Sam Hood, who punished skulkers and did not allow good men to do the duty of sweepers and such like.

> " To the brave he fain would quarter shew,
> His tender heart recoils at every blow;
> If, unawares, he gives too smart a stroke,
> He means but to correct, and not provoke."
>
> *Granville.*

Recreation and every possible source of amusement should be promoted by every sort of encouragement. Sailors are as eager in pursuit of fun, when their captain and officers do not check them, as any set of school-boys. The sound of a good old sailor's song, notwithstanding the ditty *is dismal* at times, has always been pleasing to my ear; besides, no surer method of preserving bodily health can be devised; we know how dependent health is upon the state of the mind.

My custom of splicing the main brace, or giving extra grog upon every great victory, since the days of Rodney and Abercrombie has had a good effect, for I make no distinction between the battle of Alexandria and the victory over Count de Grasse, or the triumphant battles of Waterloo and Trafalgar.*

I have had fancy balls, transparencies, plays, &c. in commemoration of those glorious days, and of the coronation, the birth-day of our gracious Sovereign, &c. and in no one instance has this indulgence been abused, or the duty of the ship neglected. I have frequently allowed seamen to dance on the lee-side of the quarter-deck. None of these trespasses upon the over rigid system of discipline have ever produced the least source of annoyance, knowing, as I trust I always did, where to draw the line,—where to stop.

No trifling duties should disturb the men from their meals; and, on washing-days, they should have ample time to mend their clothes, and be encouraged in the care of them, and in all matters as regards health, comfort, and cleanliness.

Attention should be given to the state of clean-

* Soldiers and seamen are not unmindful of such proud recollections. Napoleon, who knew how to preserve the fidelity of his army, ever wielded this influential power over the minds of his brave companions in arms; thus, as the day of Austerlitz, or Jena, or Wagram, &c.

liness in the galley, &c. that the cooking is not abused; and I cannot avoid noticing an act of injustice once in practice, viz. the selection of prime pieces of beef and pork for the captain and officers' table; such an evil is too manifest, not to require a final check.

Give the seamen no well-grounded cause for complaint; if any exists, meet and defeat it with firmness and decision, and no serious, or even unpleasant, consequences can ensue.

A due respect should always be upheld, particularly on the quarter-deck; any deviation, from apparently insignificant customs, but known rules, tends to unlink that chain of obedience which is the very soul of good order, unhinges the claims of individual regard, and tends to excite disrespect, disobedience, and impertinence, which are never to be tolerated. Great attention to personal cleanliness should be enforced among the men. It is astonishing how negligent merchant-seamen have become in this respect. Neither ought it be permitted for officers to transfer the performance of their duties to inferiors. In the absence of a responsible officer, abuses will creep in and undermine the whole system of discipline, which would not be attempted in the presence of other officers. Evils of this kind frequently require punishment of the men; and let me advise every officer in charge of a ship in harbour to be always ready, never to fear being surprised

by the commander, or otherwise, and ever to bear in mind that a ship is like a kingdom, as there is always a king, so is there always a captain.

When chief mate of the Royal George, in 1815, having some treasure on board, for which a sloop came alongside; a north-wester was brewing, rendering it necessary to send down top-gallant-yards, and strike the masts; I therefore sent for the Company's recruits: the master-at-arms and serjeant-major returned from the orlop deck, saying, the soldiers would not come on deck; there was no captain on board, and they would not come. I sent an officer down, who brought a similar report. I then desired the serjeant-major to beat the roll, which, together with the officer, brought every man from below. I singled out two principals, who, upon several occasions during the passage had been saved punishment by my intercession; told the recruits, that a regiment never was without a colonel, a ship never without a captain. However, to mark the difference, by the captain's absence, who had left for Calcutta that morning, and who only gave them six tails of the cat, but I would give them full allowance; tied up the worst character, and flogged him directly: order and respect followed *instanter*.

The health and comfort of seamen demand the utmost care and attention, particularly as regards the sick. In a deplorable state of ill health the

sailor is a most pitiable object: no other constant friend but his messmate. If he gets out of his hammock his feet must be chilled on a wet deck, to the aggravation of his disease; to whom is he to look for any solace, save to his guardian for the time being, his commander? and what duty can be more grateful, more really humane, than, by kindness and compassion, to aid his wants, by fresh meat, and other luxuries, from the only source a ship affords. It is the commander's duty, and though such indulgences are from his private stock, still how cheering to humanity is the impulse which performs so manly an office.

When speaking of the sick, much improvement might take place to protect them from the miseries they endure from being compelled to go into the head or channels, or to use buckets in their berth. Not the sick only, but the ship's company are too much exposed, in bad weather, and the inconveniences of long retention, to the great and serious prejudice of their health.

Divine worship is regularly performed on board men-of-war and Company's ships, when the weather permits. I recommend, that so necessary an observance of religious duties should be embraced in the proposed code of laws,—that divine service be read on the quarter-deck of every vessel under the English flag, and noticed in the ships' log, when

performed, and the reasons for non-performance, when such exist.

I must likewise enjoin a solemn respect to the remains of a departed shipmate.* If a funeral takes place at sea, have the duty performed with becoming respect and attention; the whole ship's company clean. If in harbour, of course a coffin should always be bestowed; the messmate and friends of the deceased clean, and in attendance, and never allow the service to be performed by a *midshipman* or a *junior officer*. As I have known instances of this neglect, I am entitled to mention

* When chief mate of the Royal George, in 1815, I was attending the funeral of an Irish seaman; the corpse in the yaul surrounded by his messmates, and towed by the cutter which I was steering; a large junk, laden with salt, was coming up with us before the wind. We were pulling across the tide, as the huge floating thing came near. I waved to them. At length, when it become inevitable that she must run us down, we endeavoured to cast the yaul adrift. Not a knife was at hand; the painter was jammed. In this predicament the junk ran foul of the painter, and brought a boat on each bow, which was the signal to board her. I, with the tiller, Pat, with his fist. However, I soon urged a truce, and desired the punishment might be left to me; they yielded,—I let go both her anchors,—brought her up all standing. The crew of the junk saw us, and, being before the wind, had the option of hauling on either side of us. They might have sunk both boats, and lost many lives, for few are saved who fall into the river at Whampoa.

the importance of such duties, as they bear on the minds of a crew, the necessity of attending to which a sense of propriety, as well as religion, demands.*

Flogging should only be resorted to when all other modes of punishment fail, or the offence is of such a magnitude that no doubt can remain in the mind of the captain and his officers of the offender being a fit object to receive so exemplary a punishment.

The more I consider and reflect on the subject, the more fixed is the conviction on my own mind that it will be unwise and unsafe to deprive the commander of so necessary a power of control. The proofs in the second chapter are convincing on this head; and those who are generally so disgraced are callous to every other mode, and, for the general weal, must be coerced. The most violent opposers of this system would yield to its necessity by the experience of one voyage to and from India: and that Mr. Hume should vote against it, after the experience he has had as a passenger, to and from India, is a strong proof to me how

* A seaman is tenacious of receiving these little attentions, and neglect of his wants begets that dislike and discontent, which is much more easily engendered than stifled; let it not once gain ground.

easily the gain of popularity can warp a man's best judgement. Some commanders, too, who have flogged right and left, seek to ease their conscience of its terrible burthen, now they are fast moored in the haven of plenty, by holding a different opinion to the one they held before, and put into practice, and without that nice feeling of humanity, which they now aspire to gain from popular applause.

One great cause of neglect and misery incident to the seaman's homeless destiny on shore arises from the sudden fate which hovers over his return to his native country. Merchantmen are consigned to the several wet docks, all hands turned adrift; the cargoes, which their industry stowed with precision, and guarded through tempestuous seas with vigilance, are delivered by labourers denominated lumpers. This is an evil of greater magnitude than many people are aware of, and serves to estrange seamen from their officers, ships, and, above all, from the flag to which they owe allegiance.

They become transferred to the dens of crimps and rogues, are soon involved in debt and difficulty, and seek refuge in foreign service: witness the numbers of British seamen who served in the American navy during the late war, those who now form large portions of the crews of Chilian, Brazilian, Buenos Ayres, Mexican, and Greek men of war: but, curious to say, and what I fear

is too true, that Englishmen are to be found on board pirates who now infest the North and South Atlantic with such daring impunity. It would be more patriotic, more charitable, and, I will venture to say, more consonant to true religious feeling, if our zealous countrymen, who push missionaries in all parts of the world, and those who, with the best intentions, patronize auxiliary bible societies, to look at home, where charity should begin; to protect the hardy tar from misery and plunder; snatch him from the needy grasp of those who are ignorant of a sailor's real good qualities, which, by their baneful influence, are thoroughly debased.

> " Oh then, protect the hardy tar;
> Be mindful of his merit;
> And when again you're plunged in war,
> He'll show his daring spirit."

I cannot dwell with too much force upon this fountain-head of conjoint grievances, disgusted as I have been, for a length of time, by the neglect which seamen really experience in their own country, where great numbers preach well, but are slow to practise what they preach; where no maritime law exists, and, to the shame and reproach of England, the first and greatest commercial power in the world, we have only a floating hospital for merchant-seamen, chiefly supported by the very class of men, who have been abused with such virulence by the press and the corrupt sources

whence the press derived its information. The Grampus Hospital Ship, under the distinguished patronage of His Majesty and many most humane and excellent men, was founded by merchants and officers in the navy and mercantile marine: Sir George Cockburn and other gallant officers are most zealous in its success; but how little it is known or patronised by the public at large, the list of its subscribers will best testify.* I say, again, it is a reproach to this enlightened country, whose riches are bestowed with beneficence, that they may sustain the wants of *others*, to neglect a deserving body of men, and thus cast them loose, in misery and wretchedness, upon the dregs of society, thereby sowing the seeds of discontent, which grow up, rankle in the bosom of patriotism, and blight its wonted virtues. "True religion is this, to visit the fatherless and widows in their affliction, and to comfort the distressed." Let us convert ourselves and our countrymen before we dive into swamps, morasses, and jungles. Again, I say, look at home. Some people object to the custom now prevalent

* The Lords of the Admiralty have given the Dreadnought, a first-rate, to the public for the Seaman's Hospital, where sick of every nation find a home; are fed, clothed, receive the best medical assistance: thus aided, numbers are launched forth on a wide world, and, under the blessings of Providence, are restored to health and activity to do their duty again, with love and gratitude to that country where all in distress find shelter and protection.

throughout the Company's service, and some other merchant-ships, of holding an inquiry previous to any punishment. On one hand, we are accused of a servile imitation of courts martial; and, again, that it is a mere mockery! However, the advocates for humanity and justice cannot, on due deliberation, condemn a practice which thus powerfully enfeebles the arbitrary dictates of a single individual who, whether tyrannical or mild, is yet a man subject to the infirmities of human nature. The best among us *should*, with such a scope of ungovernable authority, be subject to some restraint, and level his own feelings to those of others with him in this conjoint tribunal of justice.

Every commander who thus submits his opinion to the due deliberation of his colleagues disarms the influence of pettifogging lawyers, and, *in general*, defeats their attempts to extort heavy fines by way of recompense, as it is called, for acts of the seaman's delinquency. No punishment, except in extreme cases, should follow an offence at the spur of the moment: cool deliberation should follow, and our heads should be upon our pillow a night before we inflict a disgraceful punishment on a fellow-creature. This has always been my practice; and, after commanding a ship for five voyages, I can safely acquit my conscience of bearing any burthen of reproach for the few, but most painful duties of this unpleasant nature which

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imperious necessity has compelled me to perform. When the character of an offender, and also the general good conduct of my ship's company, were apparent, I have pardoned him publicly. In some instances, this lenity has been abused; in a few, it has had the desired effect.

There is one material point,and on it hinges the very source of discontent and, too frequently, insubordination: officers are often guilty of negligence in their duty, disrespect to, and, at times, call into question the conduct and skill of their commander: too often are young men, with buoyant spirit, harsh, severe, and unjustly abusive to the men who are placed under their care and protection; proving how true it is that we should learn to obey before we expect to command. These officers, sometimes guilty, under the eye of the crew, escape with a private lecture; and the general impression throughout the ship may thus be materially effected.

The captain they say listens to complaints made against his men, punishes them after an inquiry, and thus far we have fair play; but the officer who struck our messmate, who was insolent to his commander, or negligent of his duty before all hands, he escapes: this cannot be right.

Yielding to many of my brother officers, who may differ with me on this delicate question, how tenaciously we should exercise the right of preserving the dignity of command, and how carefully any

rebuke to an officer should be given, still it is the imperative duty of every commander to prove that he is captain of his own ship, that he will maintain that sway fearlessly at all points, and will not allow his crew to say " We are flogged, while the officer, who neglects his duty, gets clear off."

On this point, I have the authority of an officer, high in rank, in His Majesty's navy, and will quote his own recorded opinion.

" If the fault or neglect in an officer be public, the reprimand ought to be public also, that the men may know that it is even handed justice, and not the whim and caprice of the moment which portions to each his due meed of punishment."

Once or twice I have proceeded with an inquiry where a guilty person has escaped the punishment he otherwise would have merited, by the officer, who made the complaint, having lost control over himself, and disobeyed my orders, by striking the one accused.

There can be but one command to whom all serious causes of complaint should be quietly made known, and any other person inflicting corporal punishment, or taking the law into his hands, is guilty of a breach of naval discipline, and must abide the consequences.

During my last voyage, when, in a heavy gale of wind, a refractory seaman was insolent in the highest degree to one of my junior officers; his

offence was aggravated by the lenity I had shewn him on a former occasion, when, through the intercession of my worthy friend, the Rev. Mr. Henderson, late chaplain to the cathedral at Calcutta, and one of my passengers, I pardoned him publicly on the quarter-deck. After the gale, an inquiry was held, the man found guilty, no plea urged by his defence offered any extenuation; he was accordingly punished, at the gangway, on the following morning.

A few days after this necessary example, a complaint was brought to me against the same junior officer, for having struck one of the crew. I held an immediate inquiry, the officer was found guilty; the aggravation which led to this unguarded act could not be held by the claims of justice in any way justifiable; and though he was a most active, zealous, and good officer, I suspended him from his duty, to which he was subsequently restored by an acknowledgement of his error. As these observations will, probably, meet his eye, they will reconvey that admonition I then gave, and they will serve to implant those generous and just notions of self government, and that thorough conviction, how necessary it is to view with an impartial eye all the true bearings of discipline. As officers gradually rise to the responsibility of command, they will be more and more impressed with the arduous and conflicting struggles which attach to a captain's duty.

And, when at the helm themselves, they will find, as I have done, that as it is impossible to please every one: the best way is to steer a middle course.

> " Captain, look out, 'tis your concern,
> To govern well from stem to stern."

To those who are fond of a retrospective glance into the ways of the inaptly called *good old times*, I recommend the perusal of a most curious book, the Diary of Henry Teonge, chaplain on board His Majesty's ships Assistance, Bristol, and Royal Oak, 1675 to 1679, from which the following are extracts:—

" Our captaine calls all hands up, and called Mr. N. Berry, and gave him authority to exercise the office of boatsewaine, and bad all take notice of it; also gave him a cane, and bad him use it with discretion."

" A seaman had twenty-nine lashes with a cat-of-nine-tayles, and was then washt with salt water, for stealing our carpenter's mate's wive's ring."*

" This morning, September 28, 1675, one of our men, viz. Skinner, for going on shore without leave, had his leggs ty'd together, his hands ty'd to a great rope, and stood on the syd of the ship, to be hoysted up to the yard arm, and from thence to

* The barbarous custom of washing the back of a person flogged has not been out of practice many years

dropp down in the water three times."—The gentlemen on board interceded, and Skinner was pardoned by the captain.

During the days of good Queen Bess, theft, on board ship, was punished in the following barbarous manner; the culprit was to be thrice ducked from the bowsprit, and then to be dragged at the boat's stern, and set on shore at the first land made, with a loaf of bread and a can of beer.

For mutiny or piracy, the criminal to be hung by the heels till his brains were beat out against the ship's side; then to be cut down and let fall in the sea.

The fourth time a seaman was detected sleeping on his watch, he was to be hanged at the bowsprit end, with a can of beer and a biscuit, and a sharp knife, and so to hang, and choose whether he would cut himself down and fall into the sea, or hang still and starve. All petty offences were punished with the whip.

Keel hauling was then in practice with every aggravation which cruelty could devise; the sufferer was hauled up to the yard-arm, and let down by the run, dragged under the keel, and when under water, a great gun was fired over his head to astonish him, as well as to be a warning to all others.

If any one drew a weapon wherewith to strike his captain, he was to lose his right hand.

If any one man killed another, he was to be bound to the dead man, and thrown into the sea.

To extort confession, the suspected person had his arms extended crossways on a capstern-bar, shipped in the capstern, a basket of bullets, or other like weight, hanging about his neck, in which posture he was kept until he confessed, or during the captain's pleasure.

Bilboes, or irons, were then in use also.

That so many barbarous modes of punishment should be exploded and effaced from habit, which alone could sanction or sustain such cruelty, must be gratifying to every one; and, within the last twenty years, refinement has blunted the keen edge of severity and tyrannical abuse of power: we hear of no instances of men running the gauntlet, or being flogged round the fleet, both dreadful punishments, and liable to great excess.

Starting is almost out of practice, and should never be permitted. This summary mode of punishment is resorted to under the influence of strong excitement, when reason is subdued by ungovernable anger. I have always declared against this harsh system, and believe it is now seldom inflicted, and is, in fact, prohibited by the Admiralty and the East-India Company.

Solitary confinement is very well in theory, and may be practised on board men-of-war, where sen-

tinels can guard the *prison;* and on board a seventy-four or a three-decker, a black-hole may be found or allotted, where such confinement may not risk the injury of health. I have had recourse to this mode of punishment, though contrary to my own judgement, conceiving that the vicinity of the pump-well was not quite so salubrious; and *that* being (in a crowded ship, full of troops and passengers) the only part of the ship I could devote to such a purpose: the result was as I foretold; the surgeon applied to me on the subject, and stated his apprehensions that confinement, with foul air from bilge-water, &c. would be detrimental to health. Some of the China ships, without troops or passengers, have allotted a spacious cabin for offenders; but sure I am that many characters would prefer such splendid means of skulking to doing their duty; and, in times of danger, or in any bad weather, when arduous exertions are the lot of all, could a skulker be certain of such confinement, he would insult his commander, be guilty of disobedience of orders, or commit any crime, to shun the path of order and insure so snug a retreat.

I will admit, for the sake of argument, that a place, in every respect adequate to the purpose of solitary confinement, can be set apart;—how can a merchant-ship spare any portion of her crew? and how can it be expected the remainder will rest

satisfied under such a system, which gives an asylum to downright skulkers, and imposes their duty upon the few good men on board? Let us imagine five refractory persons, out of a crew of thirty, in confinement at one time; the dysentery, or some disease prevalent in tropical climates, deprives the captain of the services of five more; then, again, we must have five separate apartments for these delinquents, and we must place some guard over them; a tornado bursts upon the ship, or a violent squall; she is struck by lightning, springs a leak, or is threatened with a hurricane; the chief mate applies to the captain to have the five prisoners released; necessity compels this measure; up they come, like firebrands, and mingle on the forecastle, with the cry of disaffection,*—"Now, messmates, it is our turn; the skipper was forced to release us, after being thrust down in that there black-hole; now's the time for us to try our strength; let the sails blow away; let's bring them ere quarter-deck gentry to their bearings, and do no more

* The benefit of example is lost; the culprit's sufferings have not been witnessed by his shipmates, and he, most likely, will make light of them. Punishment at the gangway is preferable, in all respects more congenial to the habits of seamen, devoid of that vindictive spirit which consigns a prisoner to solitude for days and weeks; besides, they feel that a man so confined must have a substitute to do his duty, and that a greater burthen falls upon them.

work unless we get more grog, and put a stop to all sorts of punishment." They make the attempt; the commander, firm at his post, maintains his authority, but not without bloodshed; lives and property are dependent on his resolution; the horrors of mutiny lift the sword of justice, and one victim saves the lives of passengers, the crew, the ship and cargo, and restores obedience, thus hurled to the brink of despair. The necessity of releasing men at such a moment would impress on their minds the value of their services, and without any summary power of punishment; the evils I have drawn within an imaginary line are by no means improbable under such circumstances. Whenever seamen believe they gain an advantage in their determined efforts to gain the upper hand, they are not easily turned from their purpose.

I have never yet been a voyage without having amongst the crew some incorrigible blackguards, who, but for the discernment of the commander and officers, would have influenced the whole ship's company; and, in general, these black sheep have been the cause of every punishment inflicted, and the source of all heart-burnings and pretended grievances. Can flogging be too severe, or can it be a disgraceful punishment, to such characters, who, doubtless, would have been whipped at the cart's tail, sent to the tread-mill, transported to Botany-Bay, or hung at Newgate, had they not

sought refuge on board ship? Can it be supposed that profligate characters will be reclaimed by solitary confinement, by having their wages stopped, or any other corrective power than the cat-o'-nine-tails? Those who wander in all the maze of theory may differ with me; but ninety-nine out of an hundred professional men will agree that the terror and disgrace of flogging is the truest preventive to crime, and the best and safest alternative that can be resorted to, in order to preserve discipline.

I declare I have never known one instance of a man's spirit being broken, his health injured, or even his services lost for more than one day, and even that not above twice, during the whole of my experience at sea; and the horrible stories related about effects of flogging are intended to distort truth and justice, and to mislead persons whose minds are imbued with ready belief on all subjects, however false or exaggerated.

It is currently stated, and obtains general belief, that a merchant-ship is guarded with ample power for the support of an efficient state of discipline. I can only say, we, in the merchant-service, are ignorant of possessing such control, except under the exercise of discretionary power, which has hitherto been our only guide. The ship's company sign the articles,—true; if they desert they forfeit their wages,—all very good; but, if they *refuse* to do their duty and are guilty of *insubordina-*

tion, what *punishment is then awarded?* We are told redress is to be had by application to a magistrate, by a reference to civil power. But the magistrate has no power to act; and even if this remedy was within our ulterior reach, we threaten a man, he becomes sullen, still more obdurate, we lose his services, and are harassed and annoyed by all the vexations of a preliminary inquiry: the culprit, by perjury and every other species of crime, escapes, and we are saddled with a lawyer's bill. A discretionary power must, for the good of all embarked in the same bottom, be vested in the hands of the commander; and to give his authority ample power and due control, he should be a *sworn magistrate, empowered to administer an oath and receive evidence in like manner on oath*, then will inquiry on board ship no longer suffer the reproach of mockery. Several cases have come under my own inspection where the offender escaped, from the influence he had over his shipmates, who knew *they* were *not bound by their oath*, and thought it no harm to plead ignorance or *violate truth to screen* their messmate; and this is truly characteristic of the sailor.

Unless for drunkenness or notorious skulking I heartily disapprove the practice of stopping a seaman's allowance of grog. By their habits, and not having the means of procuring any other beverage, I consider a pint of grog essential for the preser-

vation of health; and officers who enjoy their wine and other indulgencies should bring this matter home to their own feelings, and be governed by that excellent moral—" Do as you would be done by."

Placing men in irons is a necessary step to separate an accused person from the crew, and is by no means a severe ordeal. An inquiry speedily takes place, and, if the offence is not of great importance, the prisoner is merely remanded in irons for a day or two and deprived of his grog.

Trifling and vexatious modes of carrying on the duty are frequently the source of great and unnecessary annoyance to seamen; equally so the harassing manner, which some officers too much incline to, of noticing petty causes for complaint; grumbling is so natural to a sailor, and much may escape him in sullen moments, which we all yield to more or less, that he never intended or seriously felt; in fact, the true knowledge of a sailor's character will justify a prudent restraint on the part of his officer, who, though ever vigilant, should always know *when to hear* and *when to see.*

Especial notice is due to the proportion which officers on board a merchant-ship bear to the ship's company, which may be taken on an average of six to a hundred. Those who have not practical knowledge to guide them, may form some opinion of the consequences which may ensue if the majo-

rity are once permitted to feel and know their strength.

The great and important consideration with commanders and officers should be the power of discrimination and discernment,—a happy choice for reward on the one hand, for punishment on the other, may produce the best results. Before a seaman is condemned to the ignominy of corporal punishment, a due regard to his character should operate, and if a favourable chance offers of retrieving his conduct, by pardon. Let every commander exercise the grateful prerogative which humanity prescribes, unfettered by the opinions of others. If, by a well-timed act of lenity, a man is thus reclaimed, the reward will be soothing as long as he lives. If ingratitude abuses such clemency, then he knows that just and rigorous measures are still within his reach. Every commander can generally foresee the seeds of discontent, and, by watching all that is going on, may check disaffection in its opening bud.

Vigilance and exemplary conduct on the part of the officers, while they essentially tend to prevent the commission of faults, and, consequently, the necessity of punishment, place in their hands the far more gratifying power of dispensing reward and favour.

One observation will strike the minds of all naval men, and deserves particular notice. Impressed

as we are with a thorough conviction that the laws of our country will only guard the power we wield by the *justice* and *necessity* of the case; *trifling* misdeeds, which require being checked to prevent *greater*, are too frequently either overlooked or punished by obnoxious methods, which generate more ill-will than is even caused by *flogging*. I would name blows from an officer whose temper is put to a severe test, gross abuse, stopping grog; and these are frequently unknown to the commander, who, though the most active and vigilant, cannot always be on deck. I wish to call the subject of this article to the especial attention of my readers; it bears most forcibly on the question of content and discipline, and stamps the need of an ample and efficient code of regulations which, by embracing minor offences as well as those of the greatest magnitude, and fixing due and forcible means of subduing and preventing every species of insubordination, shall strike at once at the root of all evil, and deprive the sailor of the cause which frequently engenders sullen and insolent conduct, and also prevent an officer from seeking redress by petty annoyances and unauthorised petulance, too often betrayed by those in subordinate command. I must repeat, the fault has not so much been the act of these parties, as of the higher powers; the remedy is, I hope, at hand, but it requires practical knowledge and experience to blend justice and discipline with full power and

effect; and without this important duty being faithfully and impartially discharged, we had better display a broom at the main-top-mast-head of every merchant-ship in England.

Having briefly stated the cautions which should mark the various grades of insubordination and neglect of duty, and by an impartial guidance instil into the minds of all on board that just and necessary punishment must and will follow disobedience of orders and wilful negligence, I shall now proceed to enumerate the evils and offences which prevail more or less on board every ship.

THEFT.

Theft is a crime of a serious nature, however intrinsically small in value the plunder may appear to landsmen. One man robs his messmate of his flannel shirt, pea-jacket, or other article of dress; he cannot procure another. The tempting effects of thirst, within the tropics, leads to stealing water, even to broaching the ship's stock by spileing a butt, &c. This is a crime which, if not checked, may amount to a very serious one, and is only to be apprehended by those who have been on an allowance, at times a very short one, of water. How can it be imagined that prospective punishment will operate as a dread preventive to the propensity of a thief? Besides, if all law and redress is to follow our return to England, who is to pay all law-ex-

penses, and to remunerate commanders and officers for time thus wasted, to answer the litigious purposes of those who would thus basely earn their livelihood? Theft must be put down by summary means.

GOING OVERBOARD.

Going overboard in harbour or at sea without leave is a serious offence, risking lives, and involving the life of others who may be sent to their rescue, besides the liability of becoming a prey to sharks.

ABUSE.

Vulgar abuse and coarse language are very reprehensible. If swearing cannot be entirely overcome during moments of great excitement, when mild words avail not, as I know too frequently is the case, yet the indiscriminating abuse and oaths made use of are not to be tolerated by officers or men.

DISOBEDIENCE—SKULKING—INSOLENCE.

Disobedience of orders gives such scope for restraint on one hand, and presumptuous neglect on the other, that discretion and discernment should define the limit with due discrimination. A seaman may refuse to go aloft when emergent duty requires,*

* A case of this very kind, under most aggravating circumstances, came before the Thames-police last month.

and may argue the point, when promptitude and energy are absolutely requisite, that much on this head, and on other points of duty, must rest on the discretionary power in the hands of a commander.

Skulking, or extreme negligence of duty, abuse or contempt to superior officers, attempts to rescue a prisoner, presuming to dictate terms to a commander or his officers, insolence and disobedience of orders, form the catalogue of naval offences, besides those already enumerated: they generally require a summary mode of punishment, and, for the general good and safety of all on board, must be put down. In one of the Company's ships, where a bad state of discipline prevailed, the chief mate ordered some duty to be performed, saying, "my good fellow." "Who do you call good fellow?" was the reply. "You d—d scoundrel," said an officer close by, of a more zealous and energetic stamp, "away, aloft with you this instant;" the fellow flew like lightning.

Can *not* and will *not* are epithets never to be tolerated on board ship. No such words can be found in a Nautical Dictionary.

DESTROYING PROPERTY.

For malicious destruction of property, public and private, the commander should have full power to inflict punishment, and stop any portion of the offender's wages.

Cutting ropes, shrouds, laniards, and cables, are offences of a very serious nature, and demand severe punishment.

Cases have occurred, and several instances are related in the Second Chapter, of persons having cut ropes, rigging, &c. and the offenders have escaped, by the general disaffection, which has screened them. Some punishment on the whole crew, such as stopping wages from each, should check so serious and alarming an evil, and is one that can so easily be put into practice by a malicious and revengeful person.

QUITTING THE SHIP.

If seamen dare to quit the ship, or refuse obedience to the commands of their commander and officers, until the ship has reached her moorings, and declared, by the pilot, as being secure and not requiring the further aid of the crew, they shall forfeit such portion of their wages as the nature of the offence may demand.

Quitting a boat in harbour is an offence which may tend to serious consequences, by drunkenness, detention of the ship, disturbances on shore, and otherwise; evils, more or less aggravated, frequently follow such disobedience of orders.

Purloining and selling ship-stores is an offence of not an unfrequent nature; and, if submitted to, may lead to cutting ships' canvas, sails, &c.

False witnesses should be severely punished.

DRUNKENNESS.

Habitual drunkenness, incapacity, imposition by false certificates, &c. shall place in the commander's hands the power of disrating the man, or stopping a portion of his wages; the decision shall rest upon the joint opinion of the commander and his officers; the cause and sentence to be entered in the ship's log.

Bringing liquor into the ship is a very great offence, and may lead to drunkenness and mutiny: this must be stopped by summary means.

Every seaman should be bound to supply himself with a *needful stock* of clothes, and should not have the power of disposing of them; this is so essential a check to the habits of negligence indulged by most sailors, and thereby endangers their health, and incapacitates them from doing their duty, that a restraint of this kind should be strictly enforced.

Having thus scanned over the causes and effects of subordination, as contrasted with the prevalent evils arising from insubordination, and furnished my readers with some standard rules to fix their attention, and urge their zeal in behalf of the grand object in view, with pleasure, I revert to more gratifying results; such as have happily rewarded zeal and discipline, and produced events of the highest national consequence. Keeping in view

the balance of good and evil, I feel every confidence that those who still differ with me will, by dwelling on the important events related in the following chapter, yield to the foregoing evidence and arguments, and agree, with British officers and seamen, that there is but one remedy—one sure and certain system—to weigh down the bad, and thereby insure health, happiness, and comfort; protect lives and property, and maintain the just cause of humanity—the point we all wish to steer by, but our compasses differ. If, through legislative interference, a judicious code of laws for the merchant-service should happily take place, the aberration of the faithful needle will cease, and truth, indicated through the gleam of bright and cheering hope, will guide us to the haven we desire.

Discipline our care, our hope, and our delight,
Frequent in our thought, and ever in our sight.

" What reinforcement we may gain from hope!
If not, what resolution from despair."—*Milton.*

CHAPTER IV.

On the beneficial Effects of an efficient State of Subordination, by a Sketch of gallant and patriotic Services performed by Merchant-Ships, shewing that Discipline and Valour are inseparable.

> " Without a sign, his sword the brave man draws—
> And asks no omen, but his country's cause."

THE following sketch of services performed by ships in the employ of the East-India Company is offered as a tribute justly due to the distinguished conduct of several meritorious officers; also, to the reputation of a branch of the merchant-service of Great Britain, which, for a length of time, performed signal service to the country at large—upheld the honour of old England's flag—and maintained an efficient state of discipline and good order, without which skill and valour cannot gain pre-eminence. It is also called for by the partial and very imperfect evidence elicited before the Committee of Lords and Commons, during the last session of parliament. Ships in the service of the Honourable Company have been frequently employed by the Supreme Government in India to

protect the commerce in the Indian seas, and to guard our territorial possessions. Captain Sir W. James, gallantly stormed and captured the Castle of Severndroog, and destroyed that arch pirate Angria. This achievement, and the defeat of a French squadron, by Commodore Wilson, are events out of date, but not out of mind.

During the American war, Commodore Johnstone, having under his convoy a fleet of East Indiamen, was attacked by the most skilful and enterprizing admiral in the French navy, Suffrein, at Porto Praya (St. Jago). A desperate attempt was made to cut off several of the convoy, and was most gallantly repulsed by the Company's ship Hinchinbrooke and others. The zeal and bravery displayed by their commanders and officers obtained for the service great and merited distinction. The Lords of the Admiralty bestowed the honourable mark of their approbation, by permitting the Commanders in the Company's naval service, to wear the laurel-leaf, and gave the whole service the uniform which has ever since been conformed to.

The Hardwick East Indiaman sustained a fight with a large French frigate.

A desperate action was fought between three East Indiamen and seven Dutch ships in the River Hooghly, and other exploits equally creditable to the merchant-service, signalized the zeal and discipline of those days.

We now enter upon the war of the Revolution, when the tri-coloured flag of France threatened to sweep the seas, but with less real cause to boast than that which prompted the brave Van Tromp, some one hundred and fifty years before. The navy proved that the king had heroes equal to any service:

"O'er the glad waters of the dark blue sea,
Our thoughts as boundless, and our souls as free,
Far as the breeze can bear, the billows foam,
Survey our empire, and behold our home!
These are our realms, no limits to their sway—
Our flag the sceptre all who meet obey.
Ours the wild life in tumult still to range
From toil to rest, and joy in every change.
Oh, who can tell? not thou, luxurious slave!
Whose soul would sicken o'er the heaving wave;
Not thou, vain lord of wantonness and ease!
Whom slumbers soothes not—pleasure cannot please—
Oh, who can tell, save he whose heart hath tried,
And danced, in triumph, o'er the waters wide,
The exulting sense—the pulse's maddening play,
That thrills the wanderer of that trackless way?
That, for itself, can woo the approaching fight,
And turn what some deem danger to delight."—*Byron.*

During this eventful war, when the very liberties of England were at stake, it must be a subject of pride and exultation to the united kingdom of Great Britain and Ireland that one and all emulated that

ardent zeal and glory which carried our flag triumphant through every region of the world.

> "The British navy, through ocean vast,
> Shall wave her double cross, t'extremest climes,
> Terrific."—*Phillips.*

1793.—During the siege and capture of Pondicherry by Colonel Braithwaite, Rear-Admiral Cornwallis, having his flag on board H. M. S. Minerva, of 38 guns, assisted by three of the Honourable Company's ships blockaded the port by sea, and chased off the coast La Cybèle, 44 guns, and three smaller vessels, supposed to have on board supplies and reinforcements for the garrison.

H. C. S. Princess Royal and Three French Privateers.

On the 27th September, 1793, the Princess Royal, 800 tons, and 30 guns, and 120 men, bound for China, was attacked by three French privateers, from the Isle of France, viz.

Dumouriez	36 guns
La Liberté	32 ,,
Egalité	28 ,,

sent on an expedition, as Captain Horncastle was informed, against Batavia. The Princess Royal fell in with them off Bantam Point, Java. She was defended in the most gallant manner for the

space of one hour and three-quarters, when, from the very superior force she had to contend with, the captain struck his colours. The Princess Royal had but two men killed, namely, the sixth mate and the carpenter, and three wounded. The privateers were fully manned with soldiers and seamen.

The brave and able defence of the Princess Royal reflects the highest credit upon her gallant captain, his officers, and crew.

H. C. S. Pigot, Rat-Island Basin, Bencoolen.

January, 1794. At 6, a.m. Captain Ballantyne came on board, and brought an account that two vessels had been seen off and on, and, when last seen, were standing to the S.E. A hand from the mast-head saw them at anchor, distant about fifteen or sixteen miles, and perceived them getting under weigh, and soon after standing in. Cleared for action; ran three of the upper-deck guns over to the starboard side. At half-past seven the Research weighed and stood for the small roads, but soon after bore away to the S.E.* At eight, the two ships close to the basin, under English colours, one with a French ensign underneath. Upon their hauling in, fired a shot or two to windward of them, when they hoisted French colours, and began to

* Extracts from Mr. Torin's log, chief mate of the Pigot.

engage us at a quarter past eight, and the action commenced on both sides. They dropped small anchors, and brought their broadsides to bear; the farthest ship at the distance of about 350 yards. At a quarter past nine, finding they did not hand powder up briskly from the magazine, sent the third officer down, who found the gunner had fainted between the casks; handed him on deck, and gave him every assistance, but he soon departed this life. Sent the second officer down the magazine, abaft, and filled cartridges from the Honourable Company's powder. The aftermost gun on the gun-deck, and one on the quarter deck, being disabled, shifted over the opposite guns. At ten, the largest ship cut her hawser and wore round to the E.S.E. her sails and rigging much shattered; however, she made some sail, and stood out. Continued the action with the other ship till twenty minutes past ten, when she cut, and stood out after her consort: we fired at them as long as we thought our shot could take effect. They anchored in the Roads, bearing east about two miles and a half. Observed them repairing damages in hull, masts, and rigging, having apparently received much. The larger ship had her main top-sail-yard shot away; the other, being painted black, we could discern, had received many shot, 18, in her hull, besides a considerable wound in her larboard quar-

ter, between wind and water. Find we have received much damage in hull, masts, and rigging; main-mast and mizen-mast completely ruined; fore-mast and bowsprit much wounded; main and fore-top-masts quite ruined also; all the rigging cut to pieces, sheet cable eight fathom from the clinch; the 7-inch hawser, we had out for a spring, cut in two; the yawl sunk astern; and the long-boat's mast shot away. Employed preparing for an attack in the night, by boarding or otherwise. J. Kingston was the only person wounded. At 10, p.m. a boat, from Fort Marlborough, acquainted us that the Governor was sending us prompt assistance, to resist any renewed attack from the enemy; and, at 11, p.m. we received forty sepoys, a lieutenant of artillery, and two guns (18 pounders).

18th. Mounted the two 18-pounders in the boat, ready to land them on Rat-Island, as we could not well make use of them. At daylight perceived the enemy getting under weigh. At half-past eight they were in sight to the southward.

23d. Captain Ballantyne communicated to his officers and ship's company the thanks of the Governor and Council for their gallant conduct, with presents, &c. for the people.

Feb. 6. At 4, p.m. saw three sail, from the top-mast head, at anchor, in the S.E. made the signal, which we enforcd with twelve guns; despatched a

boat on shore, and, burning three false fires, cleared ship, and prepared for action. At midnight the officers and people came on board, except the captain's steward and one man. Sent Lieutenant Cox on shore to prepare the battery for action also.

7th. At daylight the strangers got under weigh; and at 3, p.m. the ships stood in: perceived them to be two large French frigates, and, apparently, one of our ships, and a small brig. At half-past three they dropped the anchors abreast of us, hoisted French colours, and began to fire 18 lb. shot. Thought it in vain to risk our people's lives against so superior a force. Struck the colours. At 4, a boat, from the Commodore, came on board; they proved to be—

La Prudente .....42 guns,	The Pigot, 30 or 32
La Sybelle .... .42 „	guns, 9-pounders,
Duguay Trouin (late	and 102 men.
Princess Royal) .34 „	

And a Corvette....10 „ having on board 1580 men. Informed us they had a flying skirmish with Commodore Mitchell's squadron, who had previously taken the Vengeur and Resolu, which attacked us.

Robert Torin,
Chief Mate.

The persevering bravery by which the Pigot

repulsed so very superior a force, and prepared to renew the action, was highly honourable to Captain Ballantyne and all under his command.

Commodore Mitchell's Squadron.

In 1794 the Governor-General detached a squadron of Company's ships, under the command of Commodore Mitchell, in the William Pitt; the Britannia, Captain Cheap; Houghton, Captain Hudson; and Nonsuch, (hired ship,) Captain Canning. On the 22d of January the squadron chased two sail, and, after a smart action, captured the Vengeur, of 34 guns, 250 men, and the Resolu,* 26 guns, 230 men; both ships from the Isle of France.

Such was the high order and discipline preserved on board these ships that they, by skill and bravery, beat off the French frigates Prudente and Cybèle, the late Indiaman Princess Royal, (then the Duguay Trouin,) and a corvette. The French captains declared they took the squadron for men-of-war.†

In 1795 and 1796, sixteen sail of East Indiamen were put in requisition to convey troops to the attack of the French West India Islands, their commanders, officers, and crews, rendered

* These vessels had just returned from their attack on the Pigot.

† Commodore Mitchell was knighted for his gallant services.

great and essential service in the combined attack on St. Lucia, by sea and land, and received the thanks of Admiral Christian, through their senior officer, Captain Urmston. St. Lucia fell after a gallant defence; and the Honourable Company's ships were permitted, by the Admiral, to leave the West Indies. This fleet encountered those memorable and tremendous gales so fatal to many ships, designated "Christian's Gales." Captain Eastfield, who favoured me with this information, was an officer in Captain Urmston's ship, the Sir Edward Hughes.

1796. The Triton was taken at anchor, by complete surprise; Captain Burnyeat being shot by the boarders from the main chains, headed by Surcouf, who came alongside, disguised as a pilot.

Several Company's ships, by a shew of high order, have escaped from very superior force, which I have not the particulars of,—and numerous instances are recorded of the prompt and zealous duties performed by Indiamen, when called upon by the several governments of India. The most brilliant exploits and examples of discipline and skill are the two following:—

Commodore Farquharson and Admiral Sercey.

Captain James Farquharson, the senior officer of a squadron of six China ships, January, 1797, fell in with Admiral Sercey and five French frigates

in the Eastern Seas. Captain Farquharson, with that admirable presence of mind which has frequently, in the adventurous career of British seamen, insured success, hoisted a vice-admiral's flag* and gave chace to the enemy, who crowded all sail and *escaped;* the Ocean, and another ship, were sent a-head to reconnoitre, and, from superior sailing, gained upon the sternmost frigate. Skill, courage, and discipline, were so conspicuously blended by this *ruse de guerre,* the promptitude, with which so daring a manœuvre was carried into execution, in the presence of a French admiral, without consulting his gallant colleagues, carries with it a praise due to Captain Farquharson and the several commanders, beyond any language I can convey. Captain Farquharson received the thanks of the Court of Directors, and a present of 500 guineas,† and the Court, in the

* A French frigate reconnoitred the China ships, and made signal they were men-of-war. Nothing could exceed the mortification of the French Admiral when, at the Isle of France, he learnt the prize which had escaped him.

† I must here notice the mistake two naval historians (Brenton and James) have made on this very affair: both have given the credit to Captain Lennox, who was present in command of the Woodford, but seriously ill at the time, and junior in command; while the Alfred, Captain Farquharson is not even mentioned. Captain Farquharson assured me he caught the idea of showing the blue ensign and an admiral's flag, from that distinguished officer Sir R. Strachan. This error reminds me of the brilliant capture of the Chevrette, by Lieutenant Maxwell, who lost the honour of the

most flattering terms, gave him the choice of a voyage the ensuing season. The Ocean was lost, a few days after the French squadron was put to flight. The interesting narrative of that misfortune I have embodied in the Second Chapter.

H. M. S. Belliqueux and China Ships.

His Majesty's ship Belliqueux, 64, Captain Bulteel, fell in with three French frigates, which, on discovering the formidable appearance of the man of war and convoy, made all sail and separated, for mutual safety. Captain Bulteel pursued and speedily captured the largest frigate. The Exeter, Captain Meriton, and Bombay-Castle, Captain Hamilton, gave chase to the Medée, 36 guns: the Exeter, by superior sailing, was up with her first. Captain Meriton, with great firmness, run the Medée close along side, desiring the Frenchman to strike, who, deceived, immediately complied: he was instantly brought on board, and, on finding he had struck to a merchant-ship, requested leave to return and fight his ship. No, said the gallant Meriton, I have you and will keep you: the Bombay-Castle soon came up, and the prisoners were secured.

enterprize, and his promotion for some time; but that discerning officer, Earl St. Vincent, discovered the mistake, and rewarded merit as it deserved.

The Franchiese was so closely pursued, by the Neptune, Warley, and Coutts, that she cut away anchors, boats, and threw some of her guns overboard, by which means she escaped.

H. C. S. Raymond and Woodcot and La Preueuse.

1798. The Company's ships Raymond and Woodcot were surprised, in Tellicherry-Roads, and captured by La Preneuse, French frigate, which ran in between the Indiamen, under English colours, then at anchor, engaged on both sides, and, after as much resistance as the one ship, receiving cargo, the other just come to an anchor, and taken by surprise, could make, they struck their colours.

H. C. S. Kent and Confiance.

October, 1800. The Kent, mounting 26 guns, long 12 and 6 pounders, and, including passengers, 140 men, maintained a close and well-fought action with the Confiance, 22 guns and 250 men, commanded by Surcouf, the most daring and successful naval commander who appeared East of the Cape, under the tri-coloured flag. The action lasted an hour and forty-seven minutes, during which the combatants were frequently foul of each other; and several desperate attempts were made by Surcouf to board the Kent; at length, he succeeded, when, after a most determined resistance, and Captain Rivington being killed, the Kent

struck to the Confiance, having thirteen killed and forty-four wounded. Had the small arms on board the Kent been in efficient order, there can be little doubt the Confiance would have been repulsed. The bravery of Captain Rivington, his officers, and crew was admirably seconded by the passengers, several of whom were killed and wounded.

H. C. S. Phœnix.

1801. Captain Moffat, of the Phœnix, of 800 tons, and 26 guns, captured a large French privateer. Such was the high state of discipline and skill shown by the warlike appearance of the Phœnix, her manouvres, &c. the Frenchman soon struck his colours! Captain Moffat was rewarded by the Marquis of Wellesley, then Governer General of India, with the thanks of government and a handsome sword.

H. C. S. Lord Nelson.

1803. The Lord Nelson, Captain Spottiswood, homeward bound, from Bengal, 26 guns and 102 men, was captured by the Bellona of 36 guns and 200 men. After a spirited contest she had beat off her opponent once, but was at length carried by boarding, having sustained the fight for an hour and a half, and lost five killed and thirty-one wounded.

H. C. S. the Admiral Aplin, extra ship.

The Admiral Aplin was taken by a very superior force and sustained a long action, the enemy keeping at long balls. Captain Rogers, her Commander, was chief mate of the Ocean, and was also in the ill-fated Halsewell

H. C. S. Admiral Gardner and Bellona.

The Admiral Gardner beat off the Bellona, maintained a brisk action, and skilfully repelled so superior a force. Captain Saltwell dressed some of his crew in soldiers clothing, and put on a most determined shew of resistance. The Captain of the Bellona told Captain Larkins, at the Isle of France, that the Indiaman's boarding-netting, with an open space abaft the fore-rigging, did not quite suit his ideas; and, believing he could not effect the capture of the Admiral Gardner, without great risk of being much crippled, he thought it prudent to haul off.

Bellona, 36 guns, 200 men.

Admiral Gardner (800 tons) 26 guns, 120 men.

Commodore Dance and Admiral Linois.

I must now endeavour to do justice to the most honourable and brilliant exploit ever performed by a fleet of merchant-ships, which reflects such dis-

tinguished credit upon the whole Company's service, and stands on the page of history an unrivalled testimony of what skill, courage, and discipline can accomplish.

The repulse of Admiral Linois and a French squadron, consisting of,

Marengo,	80	guns,	Admiral Linois.
Belle Poule,	44	,,	
Semillante,	36	,,	
Berceau,	32	,,	
Atalanta,	18	,,	Dutch.

The enemy were first discovered, on the memorable 14th of February, by the Royal George, Captain Timins. The China fleet consisted of sixteen ships, from 1200 to 1400 tons burthen; the old class of ships were chiefly armed with 12-pounders, the remainder, and I believe the division was about equal, mounted 18-pounders, short guns; they were manned each with 120 to 135 officers and seamen. The casualties on board several having been supplied by Chinese. Captain Nathaniel Dance, of the Earl Camden, was the senior officer, and displayed his broad pendant, as commodore.*

* Besides the Company's ships, there were eleven Country ships, a Botany-bay ship, and a brig, bound to Bombay: the whole fleet were estimated at seven or eight million sterling. The Country ships were formed to leeward: being manned with Lascars, they could render no service in action.

In the a. m. four of the best sailing ships, Alfred, Royal George, Hope, and Bombay-Castle were detached from the body of the fleet to reconnoitre the strange sail; the wind was light and variable, and at 2, p.m. the commodore made the signal of recall, which was answered by the chasing ships, "strangers are suspicious:" thus passed the 14th, leaving this large and valuable fleet in a state of suspense, but answering to the signal "prepare for battle," with a full determination to do their duty; we lay at our quarters through the night, during which, our wary foe had gained the weather-gage, and dawn of day, on the 15th, opened to our view a Rear-admiral of France and the French squadron drawn up in battle array. Commodore Dance made the signal, "form the order of battle in two columns," which was also our sailing order, thus avoiding confusion when the decisive moment came, when victory or a French prison should be our doom. Light winds prevailed, and in close order the China fleet pursued its course for the Straits of Malacca, but under easy sail, neither betraying fear nor flight. The French admiral, whose movements shewed great indecision, now made all sail in pursuit, but was still wavering; at one time making for the body of the fleet, again edging away for the rear division. The critical moment had arrived, and, at 11 a. m., the Commodore having made the Royal George's signal to exchange stations with the

Alfred; Captain Timins hauled over to the weather division, and passing within hail of the Earl Camden, hailed the Commodore, saying,— "I am of opinion the enemy menace our rear, and that we should tack to their support." Commodore Dance replied, "will you tack?" The helm of the Royal George, and her gallant commander, obeyed the impulse given by this "interrogative;" and never was a ship carried into action in better style. When we tacked towards the enemy's squadron, the yards were all braced round together, it was a haul of all, and Captain Timins had the distinguished honour of leading the China fleet into action, and setting a noble and daring example of intrepidity, by laying the Royal George alongside the Marengo of eighty guns; an event which will be remembered as long as the fame of England shall endure,—an exploit which will be recorded in the annals of Great Britain as a proud triumph! a proof to the world that British seamen, when ably led, possess the same unconquerable spirit in the navy and in the merchant-service; and when animated by a love of king and country, their bravery is irresistible.

The Royal George bore the brunt of the action, and received, when ranging alongside the enemy, the fire of his whole line, was much cut up in her sails and rigging, main tressle-tree shot away, fore-top-sail-yard wounded, and received about fifteen shot

in her hull, and several grape shot between wind and water; a French 36 lb. shot, weighing 42 lb., lodged in the cill of one of the ports, one man lost both legs and died under amputation, and one was severely wounded.* The Royal George was ably supported by the Ganges, on her starboard or lee-bow, and the Earl Camden on her starboard or lee-quarter; the enemy to windward. The Warley had just opened her fire and the remainder of the China fleet were anxiously and eagerly pressing on to share the honours of the day, and to emulate the bravery of their distinguished leader, when suddenly the Marengo and squadron crowded all sail in flight.†

The French Admiral had the option of closing: why he did not prefer close quarters has long puzzled naval men: he took his station purposely to intercept the China fleet, and disclosed to the captain of a neutral what were his intentions,—but all was an empty boast; and he that resolutely repulsed Sir James Saumarez, in the Bay of Algesiras, on the 6th of July, 1801, but suffered his laurels to be blighted on the 12th, by the noblest

* On the Royal George nearing the enemy, he bore up with his squadron, to rake her ahead, which was defeated by the Royal George bearing up also, and ranging alongside the Marengo, at about two cable's length distance, when the action commenced on both sides.

† The Belle Poule had her main-top-gallant-yard shot away.

display of skill and valor upon record by Sir James and his band of heroes, fled, after an inglorious fight of forty minutes, from a fleet of merchant-men! *

It has been stated, by some persons, that Linois believed several of the ships opposed to him were men-of-war. How could an experienced seaman, within the range of grapeshot of his antagonist, be so deceived? Surely he could tell, at noon-day, whether the Indiamen fired from two decks or one;

* Linois, in his despatch, spoke of the fears and apprehensions of being doubled upon. What would have been the fate of old England, if Duncan had thought of the dangers of a lee-shore when he boldly broke De Winter's line, and engaged him to leeward? Did Nelson count upon the probable risk presented by his proximity to the shoals of Trafalgar? Indecision in these two important battles might have wrested from Britannia's hand the trident of the seas.

The brave Sir Edward Hawke, when pursuing Mons. Conflans, among rocks and dangers, was told of the perilous state his ship would be in, by his master: the hero replied, you have done your duty, now obey my orders, and lay the Royal George alongside the Soleil Royal; promptitude is the very main spring of a sailor's character. In the splendid triumphs which grace the annals of our victories by land, never was promptitude and firmness more happily displayed than at the great and decisive battle of Salamanca; decision was the soul of that military genius which conquered at Assaye, Vittoria, Ciudad Rodrigo, Badajoz, Toulouse, Waterloo, &c. &c. And let us hope the laurels which deck great Wellington's brow will so enwreath the olive branch, that it shall be difficult to decide to which history will yield the palm

whether they had a tier of lower ports. Again, he could not be in doubt, whether they were flush, or had a poop and forecastle. I verily believe, that, as it so happened, the ships sent to reconnoitre him, and the leaders to the attack, wearing *blue ensigns and pendants*, the admiral suspected those ships were heavier armed and better manned. However, his imaginary fears could in no way detract from the merit of his assailants, impelled as they were, by dauntless courage, and knowing the power opposed to them,—the defeat of so powerful an enemy was followed by a general chase,* completing the triumph so nobly gained by the unprecedented occurrence of a squadron of men-of-war, led by an experienced Admiral, being attacked, repulsed, and pursued by a fleet of merchant-men, the shot from the leading ships in chase fell near the Dutch brig, when Commodore Dance threw out the signal to tack,—the Royal George was so crippled as to be obliged to wear.

Great praise is justly due to the firmness of Com-

* He who fights and runs away,
May live to fight another day!

Linois, with the Marengo and Belle Poule, was taken by Sir J. B. Warren's Squadron, in 1806, and fought in a most determined and gallant style. The Marengo had sixty-three killed and eighty-two wounded; among the latter was Admiral Linois, his son, and his captain.

modore Dance,* and the ready way in which he yielded to Captain Timins' foresight and zeal; equally so for the spirited manner in which he carried the Earl Camden into action; but the sole merit of the resolute and skilful manœuvre which planned and carried into execution the attack, and produced such brilliant and decisive results, is due to Captain Timins. Sir Nathaniel Dance declared, some time after, in the presence of many of his brother officers, at a public dinner, how much he was indebted to the promptitude and firmness of the zealous commander of the Royal George, who proposed the movement which brought on the action and defeat of Linois; a proud event, which reflects the highest honour and claims the utmost praise which the page of history can record, and will be handed down to posterity as an example of successful valour and devoted patriotism. '*Palmam qui meruit ferat;*' for even Nelson himself would have lent his motto upon such an occasion.

I shall never forget the enthusiasm of our ship's company, when the signal was announced to leave off chase; they came aft in a body to request their captain would lead them on again; they made sure,

* Commodore Dance was knighted, and the captains, officers, and seamen were rewarded with exceeding munificence by the East-India Company, the Patriotic Fund, and the Bombay Insurance Company were also very liberal to the Commodore and Captain Timins.

they said, at least, of the Dutch brig. The number of prime seamen in the China fleet has often led me to believe, that had our formidable opponent closed with us, and had several ships run him alongside, an admiral's flag might have graced the triumph of our mercantile marine. We know with what disparity of force British seamen have conquered by boarding; witness the Speedy's crew, led by Lord Cochrane; the numbers subdued by Nelson, when he carried two ships of superior force to his own; the capture of batteries and frigates at Curaçoa by Sir J. Brisbane, the Dart and Desirée; the Cerberes, by Lieutenant Coghlan; the Chevrette, by Lieutenant Maxwell. To check the charge of vanity and presumption I must give my readers a sketch of services performed by the experienced commanders and officers composing that fleet. The crews, with few exceptions, were equal to any enterprize; and prove the hearts of all were "cast in honour's mould," and what British seamen have done, they were fully equal to do.*

Commodore Dance was chief officer of the Royal George, of 758 tons, one of four ships captured by the combined fleets of France and Spain in 1780; he commanded the Lord Camden in 1786, when

* As the ships crossed, when tacking in succession, each ship cheered; in fact, more enthusiastic courage could not have been evinced than was conspicuous throughout this brilliant affair.

Captain Timins was his third officer, which I notice, to mark their mutual confidence; the *dance* the Commodore led Linois, proved his talent for command.

Captain Farquharson, of the Alfred, gave proof of his ability and zeal, by his admirable conduct in presence of Admiral Sercey.

Captain Timins had served in the navy; he was a midshipman in the Experiment, Captain Sir James Wallace, when she captured the famed Belle Poule, after a most desperate night action, sustained by the Frenchman with uncommon bravery, who did not strike until reduced to a complete wreck, her Captain killed, and first lieutenant mortally wounded. Mr. Timins was sent on board the prize, and found her dreadfully cut up; her hull riddled, and decks covered with blood and slaughter. Mr. Timins was also present at the arduous and well contested battle of the Dogger Bank, in the Preston, of 50 guns: he served, during this severe engagement, as aide-de-camp to Captain Græme, who lost his arm, and was then by his side.*

Captain Moffatt commanded the Phœnix; captured a large privateer, and led the Ganges into action in the most gallant style.

* When at anchor, in Malacca-Roads, a few days after the repulse of Linois, all hands were aloft, furling sails. The ship's company voluntarily cheered their gallant captain when he quitted the Royal George for the shore.

Captain H. Wilson, of the Warley, commanded the Antelope packet, and was wrecked near the Pelew Islands in 1783: he brought home, and was the Patron of the famous Prince Le Boo. One of the very oldest officers in the fleet, Captain Wilson, was as eager as the youngest man present, to share the toils and dangers of the day.

Captain Torin, of the Coutts, was chief mate of the Pigot when she was so well defended off Bencoolen, and was under convoy of the Belliqueux when the Franchiese was chased.

Captain Meriton, of the Exeter, captured the Medée frigate, as already noticed, and subsequently sustained the highest character, by the skill and bravery of his defence of the Ceylon.

Captain W. S. Clarke, of the Wexford, now an East-India Director, had served as lieutenant in the navy.

Captain Archibald Hamilton, of the Bombay-Castle, was an officer in the same ship when, in company with the Exeter, the Medée struck.

Captain Larkins, by his spirited defence of his ship, the Warren Hastings, on her following voyage, proved how well he would have closed with the Marengo.

Captain Pendergrass, of the Hope, was second officer of the Princess Royal when she was so ably defended, and was prepared to lay the Belle Poule alongside when under Sir T. Troubridge's convoy.

Captain Wordsworth, of the Abergavenny, commanded that ship when she was lost, in 1805, and sacrificed his life to a tenacious sense of duty.

Captain Farrer, of the Cumberland, was present, under Sir T. Troubridge, the following voyage, when she exchanged several broadsides with the Marengo and Belle Poule.

Captain Kirkpatrick, of the Henry Addington.
,, Brown, ,, Dorsetshire.
,, Lochner, ,, Ocean.
were animated by the same ardent zeal which pervaded the whole China fleet; and I cannot quit this subject without making honourable mention of several other officers, with whose previous services chance has made me acquainted.

Mr. Nisbet, chief-mate of the Royal George, was acting Lieutenant of H. M. ship Monarca (64), and was present in all the desperate encounters between Sir Edward Hughes and Monsieur Suffrein. In one action, the Monarca sustained a loss of one hundred and fifty-six killed and wounded! Mr. Nisbet's cool and resolute manner on all the most trying occasions to which a seamen's life is exposed, qualified him for the most daring enterprize. He succeeded to the command of H. C. S. Essex in 1807.

Mr. R. Hay, second mate of the Royal George, was a junior officer in the Pigot, when she was defended in such masterly style, in 1794. In 1810

Mr. Hay was promoted to the command of H. C. S. Astell. His gallant conduct and successful escape from a superior force will be noticed in a following page.

Mr. Boyce, of the Coutts, was chief-mate of the William Pitt during the meritorious services performed by that ship, under Commodore Sir C. Mitchell, as already noticed.

Mr. Hooper was chief of the Princess Royal, when that ship was so ably and bravely defended against treble her force.

This brief review of services will testify that the intrepidity which every commander, officer, and seaman displayed, in the presence of a powerful enemy, was under the guidance of experience and skill; and, as seamanship is the first great requisite to insure success in a naval battle, and courage is inherent in British seamen, I do say, had the French squadron closed with the China fleet, and maintained, as they ought to have done, a vigorous action, some ships might have been sacrificed to the heavy metal from the Marengo's broadside; but British valour would *still* have wrested the palm of victory from Linois.

Having paid a humble tribute to the public services of Captain Timins, I cannot refrain from obeying the dictates of gratitude, due to my valued patron and commander; he received me as an orphan from the Royal School at Greenwich: and, by the most ge-

nerous and disinterested patronage, he raised me, step by step, to my present station; and I sensibly feel, that my conduct as an officer and a commander has been guided by the brilliant lessons on discipline and patriotism, imbibed under the auspices of so good and so able an officer, who, in every station of life, public and private, has ever commanded the love and respect of all who know him.*

Pardon me, my readers, if, in this first and feeble literary attempt to render some service to you all, I give vent to the truest feelings of my heart, by naming with unbounded and long-cherished feelings of grateful esteem, my most invaluable patron, Sir George Abercrombie Robinson: to his benevolent influence, I was first indebted for the command of the Princess Charlotte of Wales; and I am proud to say, no East-India Director ever dispensed with such exceeding liberality, such noble and disin-

* Captain Timins' eldest brother, the late Colonel Timins, of the Royal Marines, was the senior officer of that distinguished corps, at the great victory of Trafalgar, on board his Majesty's ship Dreadnought. It has always surprised me that the gallant marines were passed over on that memorable day, when the gigantic schemes of our powerful adversary, the conqueror of Ulm, and the hero of Austerlitz, were frustrated. It is not too late, and I hope his Majesty, the friend and companion of the illustrious Nelson, will reward that meritorious class of men, the first and foremost in every general action fought since Howe's victory of the 1st of June. Another brother also served in the navy—Lieutenant George Timins.

terested kindness, the patronage at his command. May the numerous objects of his generosity and kindness feel that, to his sons, now in distant parts of the globe, they owe a debt of friendship, which it must ever be gratifying to them to pay!

> " A grateful mind
> By owing owes not, but still pays."—*Milton.*

I must here remind my readers, that the repulse of Linois was another remarkable example of the policy of allowing merchant-vessels to possess the national colours. Captain Farquharson's successful display of the blue ensign and pendant strengthens my argument. It may be urged, that though the act of parliament deprives a merchant-ship from wearing or having on board, the king's colours during a period of profound peace, in time of war this prohibition will cease; to which I answer, we sailed from England, January 1803, at peace with all the world, in 1804, homeward bound, we fell in with Admiral Linois. The pretended necessity of this act, which deprives merchant-ships from wearing or possessing the national colours for the prevention of smuggling, is a cloak to that jealous and proud feeling which made so unjust and so humiliating a distinction. I disclaim the wish of any of my brother officers to wear either the blue ensign or St. George's, but we protest against the sweeping clause which

renders us liable to a heavy penalty for having these flags in our possession; and thereby depriving us of any display of zeal by which an enemy may be lured or put to flight.* A merchant-vessel may at once hoist a large flag with her burthen, number of guns, &c. as the stupid unmeaning union jack with a white border, a signal, as it surely is, to every pirate that an easy prey is within her reach! Tenacious as Englishmen are of their rights and liberties, the commerce of Great Britain, after a series of gallant conduct and steady shew of discipline, receives this national insult, a reproach to the whole mercantile interests of the country, without one single recorded protest.

In 1805, the outward bound fleet, under convoy of his Majesty's ship Blenheim, Sir Thomas Troubridge, fell in with Admiral Linois in the Marengo and La Belle Poule. The Exeter (Meriton) and Hope (Pendergrass) bore down with the élite of their ships' company and King's troops, to lay the frigate on board; and had they not been recalled, we may readily believe 400 men would have carried the famed Belle Poule.†

* The commander of a merchant-vessel is liable to a penalty of £500 for having a Union-Jack (the proud old one) on board or in his possession.

† Captain Sturrock, of H. C. S. Preston, and other commanders, were censured, by Sir T. Troubridge, for their seeming boldness on this occasion: the Cumberland and Preston opened a brisk fire on the enemy.

The gallant defence of the Warren Hastings, Captain Larkins, in June 1806, stands without a parallel in the merchant-service; and I know of no defence of a single ship in the navy that eclipses it; a ship completely laden with teas, &c., having *cargo*, *water*, and *provisions* on her gun-deck, and, compared to her celebrated opponent, was a dull sailer, mounting 36 short eighteen-pounders and carronades of the same calibre, and manned with 130 men, including officers, maintained an obstinate and well contested battle with La Piemontaise, of 50 guns, and 400 men, the finest French frigate which ever displayed the tri-coloured flag in the Indian seas; with all their advantages, so skilfully was the Warren Hastings fought and manœuvred, that La Piemontaise had no opportunity of raking or engaging, otherwise than broadside to broadside, until the former had her fore-mast, mizen-mast, and bowsprit shot away, the purser and six seamen killed, 1st, 3d, and 6th officers, assistant surgeon, and nine seamen wounded, and most of her guns disabled: the enemy thus having the choice of position with impunity, and which superior sailing had given him throughout the action, a further struggle would have been a wanton sacrifice of brave men on both sides; then, and not till then, did the same sense of duty which blends courage with humanity, dictate the painful necessity of hauling down the British ensign, the honour of which had been nobly maintained for upwards of four hours, during which the famed La Piemontaise

hauled off several times, kept to leeward, observing the Warren Hastings was crank, and could scarcely use her lee guns on the gun-deck.* Captain Larkins was severely wounded after his colours were struck, by the furious boarders from his enemy who rushed with vengeful ire on board, stabbed him, several officers, and all who came in their way. There was no cockpit on board the Warren Hastings; the surgeon's instruments were swept away by a shot, and his assistant wounded.†

Sir E. Pellew, then commander-in-chief, was so indignant at this outrage that, general orders were issued to place M. Moreau, first lieutenant of La

* Captain Epron of La Piemontaise had previously commanded a seventy-four at the battle of Trafalgar; he knew, therefore, by some experience, how to respect the English flag.

† The ship's company of the Warren Hastings cheered as the frigate ranged alongside her. Mr. Edwick, the purser, when mortally wounded, with three grape-shot, on the poop, cheered, and expressed a hope that the colours of the Warren Hastings should never be struck! The Warren Hastings fell on board the La Piemontaise after she had struck. The sea was high; and the collision threatened to carry away the frigate's channels, gunwale, anchors, &c. The Indiaman was dismasted and unmanageable; yet the infuriated Moreau and the French boarders alleged, as the cause of their ferocity, that the Warren Hastings purposely fell on board La Piemontaise; and that her resistance was rash and presumptuous, and deserving their vengeance. The Warren Hastings lost her prime seamen outward bound, pressed by a man-of-war, and had four of her gun-deck ports caulked-in to make room for cargo.

Piemontaise in strict confinement, if taken; however, in the desperate encounter beween the St. Fierenzo and La Piemontaise, Moreau did not survive the surrender of his ship.

The Fame, Sept. 1806, Captain Jamieson, an extra ship, mounting only 16 guns, disdained to haul down the British flag to La Piemontaise, and maintained an unequal fight for three quarters of an hour with great bravery, and then reluctantly surrendered.* This defence may be pronounced rash; but I am of opinion that a ship, however inferior, should never strike without the trial of a few broadsides, which, under a great disparity of force, should be wholly directed to cripple her opponent. Nelson observed, that "shot may carry away the yards and masts of friends as well as foes;" and let me remind my readers, that this was fully exemplified by La Canoniere, French frigate, dashing into a convoy under the guns of the Tremendous, (74,) cutting up her running rigging, jib-stay, &c. and escaped. Suppose the first broadside from the Fame had shot away the fore-top-mast of La Piemontaise, the Fame would no doubt have escaped.

May 1809, the Streatham and Europe, Captains Dale and Gelston, heavily laden and badly manned, partly indeed with Lascars, were captured by the Caroline French frigate, mounting 46 guns.

* The Fame had seven men killed and wounded.

Both ships fought well, but had they kept within pistol shot of each other, and brought their joint force against the enemy, two such valuable prizes would have been more dearly bought. The Lord Keith, an extra ship, was in company and escaped. The Europe was in almost a sinking state, when she struck her colours, and three days were occupied in refitting the two ships.

Nov. 1809, the Charlton, United Kingdom, and Windham* were taken by two frigates and a sloop of war, after an ineffectual resistance against so overwhelming a force.

July 1810, the skilful and gallant action fought by the Ceylon, Captain Meriton; Windham, Captain Stewart; and Astell, Captain Hay, against the Minerve and Bellone French frigates, and the Victor sloop of war, reflects the highest credit on the gallantry of those officers and the character of the service in general. No ship could be fought better than the Ceylon; indeed, her commander was one of the best practical seamen in the whole merchant-service of England. Capt. Hay was second officer of the Royal George, and was also in the Pigot. Capt. Stewart commanded the Windham before; each did his duty manfully, and sustained the unsullied re-

* The Windham was retaken by H. M. S. Magicienne; and, as proof of Captain Stewart's gallant conduct, he was reinstated in his command.

putation of the British flag. This action offers an admirable lesson on discipline; the bravery of the troops on board mainly contributed to the loss of the enemy and to the vigour of the contest, which was very severe. Had these ships not been disabled, or had their rate of sailing been equal to that of the frigates, their attempt to lay them on board would not have failed, and we may venture to say British soldiers and sailors would have carried either or both these frigates by boarding. The Minerve had her top-masts shot away, and the Victor was fairly beat off.

The brave Meriton and his chief mate were severely wounded, his ship crippled, most of her guns disabled, and three feet water in her hold; and, having sustained an unequal contest for more than four hours, struck her colours, as did the Windham; the Astell, favoured by the darkness of the night, escaped. The loss of the British was 20 killed, and 76 wounded; French, 22 killed, 53 wounded. The East-India Company bestowed £500 upon each of the commanders; Captain Hay received a pension for his wound; and Captain Meriton was rewarded by the high and distinguished appointment of superintendent of the Bombay Marine.*

* These three Indiamen were of 900 tons burthen, and mounted twenty-six guns each, short 18-pounders.

These and other examples are on record, at the East-India House, of the Honourable Company's ships, being fitted out and employed with great effect as men of war, and reflect the highest credit on their respective commanders, for the superior discipline, and state of efficiency for all services which prevailed on board their ships; I was a junior officer in the Royal George, Captain C[illegible]bble, in 1808, when she was employed as a line of battle ship, mounted sixty-two guns, with a compliment of 500 men, having on board officers and troops of His Majesty's service acting as marines; her efficient state for battle was well known to the present Admiral Ferrier, our commodore, then in command of his Majesty's ship Albion.

The high order and warlike appearance of the China ships frequently drew forth the highest encomiums from admirals and captains in the navy, and the distinguished approbation of Admirals Cornwallis, Rainier, Sir S. Hood, Lord Exmouth, Ferrier, Captains Pym, Austen, Sir Henry Heathcote, &c. I [illegible]l remember the favourable notice bestowed on the China Fleet by the late Captain Bissell, who convoyed us an Eastern passage to China, in the most able manner. His subsequent melancholy fate, off the isle of France, with the gallant Sir T. Troubridge, deprived the navy of a brave and most able officer.

The Royal George, in which ship I served for

seven successive voyages, was frequently taken for a frigate; and when we fell in with Sir E. Pellew's squadron, the sloop of war, sent by the admiral to speak us, delivered the following message:—"tell the captain if he had not his main topmast stay-sail in the brails, I should have taken his ship for a frigate;" this trifling incident was not lost upon me, and is worthy the notice of every young officer, who should keep his ship in that *ship-shape* order, and ever do his duty as if all eyes were upon him, particularly when falling in with a ship at sea; *sailors are severe critics.*

During the protracted stay of the China fleet in the port of Canton, in 1808 and 1809, (when Admiral Drury was sent on a Quixotic expedition, ill according with his restless and ardent spirit,) the Honourable Company's ship Royal George, in which ship I was a junior officer, was there eight months, most of the large fleet (sixteen sail) from four to five months, yet no instance of extreme insubordination occurred the whole time; great part of which we were in a state of hostility with the Chinese, reduced to salt provisions, rowing guard at night, and, constantly, as sailors ought to be, on the alert. One Sunday, about 8, p.m. the admiral issued his orders to the frigates and all the Indiamen to assemble alongside the flag-ship the following morning at dawn of day, with launches manned and armed. Captain Nisbet, with a mind equal to

any enterprise, undaunted in every danger, had his launch fitted with an 18-pounder, with only these few hours notice, and, before the time appointed, upwards of 400 officers and seamen were at their post. The admiral led: the object, to carry Canton by boarding, or, to use a military phrase, by a *coup-de-main*. The result of this affair was more ludicrous than otherwise. The Chinese betrayed unexpected firmness. Admiral Drury advanced towards their line of floating defence; a marine was wounded in his boat, the Admiral being then warned of the immense responsibility of an unwarrantable attack upon the Chinese authorities, the serious consequences of losing so lucrative a trade even for one season, that gallant officer, who gained never-fading laurels by his heroic conduct at the battle of Camperdown, reluctantly and indignantly retreated.*

The Chinese have actually built a pagoda near

* During the war, and since, the Company have generally had, in the port of Canton, every season, sixteen large ships, each ship's crew 135 or 140 men, being upwards of 2000, officers and seamen, and yet there has been no serious disturbance for a length of years; several small ships, chartered by the Company, have appealed to the supercargoes to punish their refractory crews, and Captain Haviside was once deputed to inquire and punish several guilty men belonging to one of these small ships. During the suspension of the China trade, in 1821–22, caused by the fracas between some of the crew of his Majesty's ship Topaze and the Chinese, the Company's ships preserved the highest order and discipline.

the spot where the flotilla anchored and from thence fled, to commemorate the defeat of an English Admiral; the only monument of the kind in the whole world!

The Cumberland, West Indiaman, Captain Barrett, beat off a privateer; sustained several desperate attempts at boarding; and finally repulsed the enemy, who left more persons on board the Cumberland than composed her crew.

The Windsor-Castle fought a gallant action with a privateer.

1801. The Will, Captain Hugh Crow, of Liverpool, on her passage from the coast of Africa to Jamaica, had a desperate action with a French privateer, and, for his spirited conduct, was rewarded, by the Committee of Underwriters, at Lloyd's, with a silver cup, value £170.

1808. The David Scott, country ship, in company with several smaller vessels from Bombay to China, fell in with a large French privateer at the entrance of the China seas. By great presence of mind in dressing the top-men (her crew were all lascars) in red jackets, showing a blue ensign and pendant, and hauling out from the fleet, the privateer sheered off. The David Scott, and most of the country ships, during the war, were in high order. This ship had a tier of quakers, or sham guns, and presented a most imposing appearance.

In 1809, the China fleet under convoy of His

Majesty's ship, Nassau, while becalmed in the chops of the Channel, a suspicious lugger was observed some distance a-head. Captain Nisbet, of the Honourable Company's ship, Essex, sent his boats manned and armed; they reached the privateer about the same time as the Nassau's; and had the lugger resisted, would have rivalled the man-of-war's men in doing their duty. No man-of-war could exceed the Essex, with such limited means as Captain Nisbet possessed, for that ready and efficient state for all services.

Several South-Sea and Greenland whalers, and other merchant-ships, have, by dint of bravery and skill, foiled their adversaries, in some cases repulsed them, and frequently escaped by putting a bold face on.

The meritorious actions I have thus briefly noticed, are chiefly from memory, on which account I may be excused any important omissions.

The whole subject is worthy the most talented advocacy, and I regret my inability to render, in any way, justice to the eminent services which have been, under great disadvantages, so signally and so ably performed. The zealous and patriotic proofs of skill and courage, which I have feebly portrayed, will be handed down to posterity as high and brilliant examples of what British seamen can accomplish, when animated in their country's cause. History will record, among the splendour of naval

triumphs, the defeat of a French Admiral, by a fleet of merchant-ships, and the brave defence of a single Indiaman against one of the best equipped and most successful frigates of France.

The friends of naval discipline will readily admit how nobly firmness and intrepid skill have been conspicuously blended in moments when they were put to the severest trial,—witness the loss of the Kent by fire, the wreck of the Ocean, &c. And, as every question should be called in force, upon a subject of such vast importance as discipline, which can in any way be admitted within the same line of bearings, I may notice the following as proofs how much good may be accomplished by that essential quality in a maritime life.

The loss of the Abergavenny; the discipline preserved by her officers, and the sacrifice of the captain and chief mate to their high sense of duty The spirit-room of this ship was assailed, by her crew, but they met with a vigorous repulse from the officers.

Ship Boyne, Captain Daniel Warren.

December 23, 1822, Captain Warren, homeward bound from India, when lying too in a heavy gale of wind, under a close reefed main-top-sail, in the Bay of Biscay, and having had a very long passage, was reduced to short allowance of provisions and water, discovered a French lugger water-logged to

leeward, and her crew clinging to the masts and rigging, perceiving their inevitable fate, and the utter impossibility of succouring them by boats, or even by a raft, owing to stress of weather, Captain Warren resolved to run down to the wreck; bore up, and ran alongside the lugger, and, by great skill, rescued the whole of her crew, seventeen men. The collision was great, and Captain Warren's ship received considerable damage. The lugger proved to be the La Jéane, in the service of the French Government; and her commander stated that two French vessels had passed him without making an effort to render him assistance, and but for the timely aid of Captain Warren all hands must have perished. This addition to Captain Warren's passengers and ship's company straitened his means, and for the five days which intervened, until their arrival in an English port, each person was reduced to one glass of water and two biscuits per day!

This brilliant display of humanity and zeal was represented to the French Government, and his late Majesty Louis XVIII. conferred an honorary cross and medal on Captain Warren, with a suitable inscription. The damages sustained and expenses incurred by him were adequately remunerated, and a reward was also bestowed upon his officers and ship's company. But a higher gratification will be cherished by every one who performed this gallant deed as long as they live!

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So pre-eminent a display of skill and beneficence merits the highest encomium, and should be recorded in the most glowing language of gratitude and praise; it should fill the brightest page of history and be held as an example worthy the humblest imitation. Captain Warren saved seventeen lives, who otherwise must have found a watery grave, and, under such circumstances of peril and danger to himself and crew. To save the life of one fellow creature must be an act of inexpressible delight; then, how inadequate is the task to render justice to Captain Warren's meritorious conduct. He has lately returned from Bombay, and is still seeking an independence in the free-trade; may his zealous efforts be crowned with ultimate success, and may a general knowledge of his noble and disinterested benevolence secure him friendship and support must be the desire of every true friend to humanity!

> " How few, like thee, inquire the wretched out,
> And court the offices of soft humanity?
> Like thee reserve their raiment for the naked,
> Reach out their bread to feed the crying orphan,
> Or mix their pitying tears with those that weep?"—*Rowe.*

(FROM THE NAVAL CHRONICLE.)

Ships Prince Blucher and Frances Charlotte Transport.

It is our duty to record meritorious actions; and

we have great pleasure in selecting from the Calcutta papers the following highly flattering testimony, borne by Government and individuals in India, to the gallant and humane conduct of Capt. Weathrall, commanding the Blucher, who, on her voyage from China to Bengal, saved from impending destruction, near 400 men of his Majesty's 78th regiment, including women and children, who were cast away on the Preparis, an uninhabited island, on the 5th of November, 1816. Eighty-four soldiers being left on a barren rock, on which the ship struck, nearly overflowed at high tide, were without fresh water or provisions of any kind, for four days, and all in the greatest distress and debility, from fatigue and fasting.*

It appears that the Frances Charlotte transport, on which the regiment embarked, at Java, was wrecked on her passage to Bengal, on the night of the 5th November, and went down too suddenly to admit of their saving provisions or necessaries of any kind; and but for the fortunate circumstance of Captain Weathrall falling in with a part of the wreck recently broke off, which induced him to search the islands, to give succour to those who might have escaped, all of those on the rock must

* Some of the poor fellows, thus miraculously saved, declared even a monkey was good eating, when nothing else could be obtained.

have perished, and most of the women and children who had got to the island, on which no subsistence was to be found.

A severe gale of wind, by which Capt. Weathrall was nearly wrecked himself on the same rocks, and the loss of his foremast and boats, prevented his taking the whole of the sufferers on board; but he fortunately landed a small quantity of rice on the first day, and had succeeded, with great difficulty and exertions, through a heavy surf, in getting on board all the women and children, amounting to above 50, and 278 men of the regiment, and many native followers and seamen, before the gale commenced; and, subsequently, from the prompt measures of the Bengal government, all the remainder were taken off alive; but, as may be supposed, in a state of great wretchedness, from privations of all kinds; for thirty days subsisting on a very few shell-fish found among the rocks. We cannot better express our feelings on this occasion, than by giving publicity to those of the government and communities on the spot, as detailed in the subjoined correspondence. We understand Capt. Weathrall has brought all the 78th regiment to England, without losing one man, in a passage of four months.

To Commodore John Hayes, Master Attendant.

Sir,—I have the honour to state to you, for the information of government, that, on my passage

from China to Bengal, on the 10th instant, we fell in with some pieces of wreck, and soon after perceived smoke on the Preparis, which induced me to suppose some vessel was stranded on the reef of that island. In consequence of which, we tacked and stood in for it till evening, when we picked up seventy or eighty soldiers of the 78th regiment, who had been landed on a rock, without provisions or water, for four days, and nearly exhausted, being part of the troops embarked on board the Frances Charlotte, at Batavia, and lost on the reef abovenamed, on the 5th of November; the remainder being on the island.

As we had a strong current to contend with, it took the whole night to work up to the island, when, at 4, a. m. we sent all the boats on shore, to bring the women and children on board, under charge of my chief officer, which was attended with great difficulty, on account of the reef surrounding the west side, and no anchorage for the ship. In the course of the 11th, 12th, 13th, and 14th, sending and getting on board 207 soldiers, with women, children, and sick; also, about forty lascars, Capt. Acres, and his officers.

We were, unfortunately, prevented getting near the island again, from a severe gale of wind at south-west, in which we carried away our foremast, and lost three boats and an anchor, and ultimately were driven too far up the bay to attempt further

relief to the poor people on shore, without endangering the lives of all, as we had but ten days water, at one pint per man, and our provisions would have been expended in the same time.

I beg you to believe, that nothing was left undone on my part, or on the part of my officers and crew, to save the whole; and we should, I hope, have succeeded, had not the gale come on too suddenly to provide for it, and by which we were nearly lost on the same spot; we, however, stood to the southward, to fetch in again with the island, when the loss of our masts and boats obliged us, very unwillingly, to bear up.

We are out of every thing; but every exertion will be made to supply the regiment and crew, until we receive the directions or supplies from government.

I am given to understand, there are ninety soldiers left, with five officers and forty lascars, on the island, with only two bags of rice I supplied them with the first day.

We have been becalmed for five days to the eastward of the reef, which has equally added to our distresses; but I have great pleasure in bearing testimony to the good order and behaviour of the troops, who have suffered without complaint.

I have the honour to be, &c.

M. T. WEATHERALL.

Saugur Roads, Sunday, 24th Nov. 1816,
on board the Prince Blucher.

Captain Weathrall received a most flattering letter of thanks from the Supreme Government, at Calcutta, during the brilliant and beneficial sway of that great and good man, the Marquis of Hastings, whose name I cannot mention without the liveliest emotions of gratitude and respect. No nobleman could so keenly penetrate and discern the conduct of all who passed in review before him.

The Government presented Captain Weathrall with £500, for the purchase of a piece of plate, and defrayed all expenses incurred by Capt. Weathrall.

Forty of the principal natives of Calcutta also presented Captain Weathrall with a piece of plate.

The houses of agency followed these two examples of liberality; and the officers of the 78th, with the utmost gratitude, though they had sustained the loss of all their baggage, bestowed their mite, as a memento of their heartfelt respect to their friend and benefactor.

Captain Weathrall did not long survive his well-earned honours, but has left a deathless fame and reputation, and added to the mercantile marine of England a high and lasting character for skill and humanity. The splendid City of Palaces, (Calcutta,) justly famed for hospitality and liberality, displayed, on this occasion, the greatest munificence, which, it is to be hoped, has proved of lasting benefit to the family of Captain Weathrall.

Loss of H. C. S. Kent, by fire.

March 1, 1825.—It had been blowing a heavy gale of wind during the previous day and night, and was somewhat abated. The Kent then lying too under close-reefed main-top-sail, when the chief mate, in the most cool and quiet manner, reported to Captain Cobb, that the ship was on fire; prompt and decided measures were carried into immediate effect, regardless of every other danger: the gun-deck ports were opened, and huge seas rushed in, pouring volumes down the after hatchway, but the devouring element, in liquid flame, resisted all that skill and perseverance could devise or accomplish; hammocks had previously been thrust down, and every endeavour to smother the fire had been made; mean time tackles were preparing and the boats were in readiness. The firm and resolute shew of discipline preserved by Captain Cobb, Colonel Fearon, their respective officers, and a large majority of their men, maintained good order, at the critical moment, when the destruction of the ship was inevitable.

Her yielding timbers sever,
Her pitchy seams are rent,
When heav'n all bounteous ever-
Its boundless mercies sent!

A sail in sight appears,
We hail her with three cheers!
Now we sail,
With the gale,
From the Bay of Biscay O!"—*Sea Song.*

A sail was discovered from the mast-head, guns were fired, and the signal of distress made; the gale was still blowing strong; and great skill and caution was requisite to avail themselves of so providential a means of escape from the horrors of their perilous situation. The strange sail (Cambria, Captain Cook) very judiciously hove too on the Kent's lee quarter, as the high sea on prevented the possibility of hauling the boats alongside; they were veered astern, and the ladies, women, and children, were immediately lowered from the taffrail, the stern windows, and from the driver boom, some in sacks, two and three together. About two, p.m. the Cambria received the first boat load of women and children, and the whole afternoon was employed on board both vessels sending and receiving; and before midnight 557 persons were received on board the Cambria. Captain Cobb was the last man to quit his devoted ship. Several lives were unfortunately lost, through fear and inexperience, when lowered from the stern of the Kent, and a number of infatuated men, chiefly Roman Catholics, governed by alternate feelings of despair and resignation, could neither be forced nor prevail-

ed upon to quit the burning wreck; the long boat being nearly swamped by having her bows stove in and thwarts torn out, was compelled to be cast off about eleven, p. m. much valuable time having then been lost in fruitless attempts to urge those unhappy men to quit their transitory hold. Captain Cobb continued in the large cutter nearly three quarters of an hour—hailing those deluded men to jump overboard and swim to the boat, one man only yielded: all further efforts to save the remainder from impending fate were fruitless, the flames now bursting from the gun room ports and stern windows. Captain Cobb reluctantly quitted the post he had so nobly, and so honourably, and so tenaciously held. About this time the main and mizen masts fell, about two, a. m. the Kent blew up, but with little explosion, from the precaution which had been previously taken to drown the magazine; and most of the survivors were still clinging to hope, and sought a timely refuge on the floating wreck of spars, masts, yards, &c. which was to leeward of the burning hull. By another miracle which divine mercy vouchsafed to grant, the Caroline, Captain Bibby, observing the horizon illumined on his lee beam, soon discovered it must be a vessel on fire, and instantly bore up, after running about eighteen or twenty miles and approaching the wreck;—a loud and piercing cry was heard. Continuing his course in the direction of the cry, he saw, by the

glare of the conflagration, a number of poor fellows clinging to masts, which were surging about from the heavy sea that was on; and it still blew a fresh gale. Captain Bibby sent his jolly boat to bring off the sufferers; six were received the first trip, six more the second, and when absent on the third, all that remained of that splendid merchant-man, the Kent, went down, and the boats crew had only the moon's feeble light to guide them to the wreck of spars, &c. They found only two survivors, two others having just expired, their lifeless hands were still grasping the mast as firmly as though they had been alive. The twelve men saved by this happy deliverance were almost exhausted, and but for the benevolent kindness of their humane protector would have been lost. The Kent was of 1332 tons burthen, had on board, when the firebroke out, 642 persons; of which 569 were saved, seventy-three perished, probably forty or fifty with the wreck, the remainder, in being lowered down to the boats, slipped overboard and were drowned, being unable to swim. We must now revert to the situation of the aggregate numbers on board the Cambria, a vessel of only 200 tons. She had passengers, and, including her crew, fifty persons. The total amount of lives, including a child born on board two hours after its mother found shelter and comfort on board this little vessel, was 608 persons; in fact, as every gene-

rous and manly sacrifice was made to administer to the wants and comforts of the ladies and women, there was not even standing room for the remainder; many sat upon the deck: biscuits, water, and provisions were handed from one to the other,—but the same good fortune which had shielded them under such an awful affliction,—

> "That sweet little cherub that's perched up aloft—
> Still kept watch for the life of poor Jack,"—

caused the Cambria in forty-eight hours after parting from the burning Kent to reach Falmouth, where hospitality and benevolence welcomed all on England's happy shore As long as British skill, courage, and humanity, shall bear record on Truth's bright page, the name of the good and gallant Colonel Fearon, Captains Cobb, Cook, and Bibby, their officers, and most of their men, will be remembered with pride and gratitude. No praise can do ample justice to the cool and intrepid bearing which Captain Cobb displayed through such a trying scene. Once his servant asked if he should send the chronometers in the boat, the rebuke he experienced prevented a similar attempt, and he obeyed his master's humane injunctions "to assist in saving the lives of women and children;" in fact, Captain Cobb had not a coat to his back when he saved himself, and borrowed my uniform coat to

appear before the Court of Directors, on his arrival in London.

"A rarer spirit never did steer humanity."—*Shakspeare.*

As a faithful narrator I must dwell on the misconduct of some of the Kent's crew. Captain Cook, in his letter to the agents at Lloyd's, after extolling the manly conduct of the miners (passengers bound to Mexico, and his own crew,) observes, "It would be pleasing, also, could I speak as highly of the crew of the Kent, but I cannot refrain from expressing my disapprobation of their conduct, in which I am borne out by Captain Cobb; it was derogatory in every respect to the generally received character of British seamen, by refusing to return to the Kent for the people after the first trip. It was only by using coercive measures, in conjunction with my own crew and passengers, telling them I would not receive them on board unless they did return to the Kent, that they proceeded, but with great reluctance." Captain Cobb and his officers were obliged to threaten, even with a show of fire arms, to enforce their authority, to make the boat's crews yield to a due state of discipline; but we do not involve the character of the whole crew in this disgrace, lamentable as it is that British seamen can be found guilty of so glaring a dirceliction of duty. The preservation of so many lives, under Divine Providence, can only be attributed to the

zealous and persevering efforts of the commander and officers of the Kent, admirably seconded by Colonel Fearon, and the officers of the 31st regiment, by Captain Cook, his officers, passengers, and crew, and by Captain Bibby, and all under his command. A stronger proof of the necessity of discipline cannot be established, without which the state of the Kent would have been most awful, and, probably, all would have fallen a sacrifice to lawless sway and ungovernable violence.

The East-India Company remunerated Captain Cook for all expenses incurred, and bestowed liberal rewards to the captain, his officers, and the miners.

The Committee at Lloyd's presented Captain Cook with a piece of plate; and the Society of East-India Commanders followed these merited examples.

The cause of this dreadful catastrophe is related as follows, by one of the Kent's passengers:—" One of the officers of the ship, with the well-meant intention of ascertaining that all was fast below, descended, with two of the sailors, into the hold, where they carried with them, for safety, a light in the patent lantern; and, seeing that the lamp burned dimly, the officer took the pracaution to hand it up to the orlop-deck to be trimmed.* Having afterwards

* Fatality marked this lamentable event: a safer kind of lantern could not be used; great force or violent pressure could alone break it.

discovered one of the spirit-casks to be adrift, he sent the sailors for some billets of wood to secure it; but the ship, in their absence, having made a heavy lurch, the officer unfortunately dropped the light; and letting go his hold of the cask, in his eagerness to recover the lantern, it suddenly stove, and the spirits communicating with the lamp, the whole place was instantly in a blaze."

"Amid the conflicting feelings and dispositions manifested by the numerous actors in this melancholy drama, many affecting proofs were elicited of parental and filial affection, or of disinterested friendship, that seemed to shed a momentary halo around the gloomy scene.

"Two or three soldiers, to relieve their wives of a part of their families, sprang into the water with their children, and perished in their endeavours to save them. One young lady, who had resolutely refused to quit her father, whose sense of duty kept him at his post, was near falling a sacrifice to her filial devotion, not having been picked up by those in the boats until she had sunk five or six times. Another individual, who was reduced to the frightful alternative of losing his wife or his children, hastily decided in favour of his duty to the former. His wife was accordingly saved; but his four children, alas! were left to perish. A fine fellow, a soldier, who had neither wife nor child of his own, but who evinced the

greatest solicitude for the safety of those of others, insisted on having three children lashed to him, with whom he plunged into the water; not being able to reach the boat, he was again drawn into the ship with his charge, but not before two of the children had expired. One man fell down the hatchway into the flames; and another had his back so completely broken as to have been observed quite doubled falling overboard. These numerous spectacles of individual loss and suffering were not confined to the entrance upon the perilous voyage between the two ships. One man, who fell between the boat and the brig, had his head literally crushed to pieces; and some others were lost in their attempts to ascend the sides of the Cambria.

" One poor fellow, a very respectable man, had actually reached the boat, and was raising his hand to lay hold on the gunnel, when the bow of a boat, by a sudden pitch, struck him on the head, and he instantly went down. There was a peculiarity attending this man's case that deserves notice. His wife, to whom he was warmly attached, not having been of the allotted number of women to accompany the regiment abroad, resolved, in her anxiety to follow her husband, to defeat this arrangement, and accordingly repaired with the detachment to Gravesend, where she ingeniously managed, by eluding the vigilance of

the sentries, to get on board, and conceal herself for several days; and, although she was discovered, and sent ashore at Deal, she contrived, a second time, with true feminine perseverance, to get between decks, where she continued to secrete herself until the morning of the fatal disaster."*

Letter from the Officers of the 31*st Regiment and Private Passengers to Captain Cobb.*

Falmouth, March 6, 1825.

DEAR SIR,

WE, the undersigned officers of the 31st regiment and private passengers on board the Honourable East India Company's late ship Kent, under your command, deeply impressed by the signal interposition of Divine Providence in rescuing our persons from the two destructive elements to which so many of our shipmates have lately fallen victims, cannot separate to proceed to our respective destinations without performing an act, dictated rather by palpable justice than by partial

* Among the officers of the Kent—and all nobly did their duty—Mr. Thompson's conduct was most conspicuous for zeal and assiduity: his resolute support of discipline on board the General Kyd has been noticed in Chapter II.

friendship, in recording some expression of our lively gratitude to you, Sir, as a powerful instrument, employed by Almighty God, for the preservation not only of our own lives, but of those of our beloved families, and of the gallant men with whom many of us stand so closely associated.

From the moment that the alarming announcement of fire was given, you remained steadily at your post, directing the efforts of those around you with a degree of self-possession and ability which equally contributed to animate their exertions, and to extend the means of escape to the numerous human beings committed to your charge.

If those qualities, so conspicuous in your conduct during the whole period of our awful suspense, were observed to change their complexion from moment to moment, it was by their assuming a loftier and nobler character as the imminence of our danger increased; and, amid the vain counsel of some, and the noisy and conflicting suggestions of many on board, we could not but admire how calmly, but promptly, you improved every opportunity of preserving your ship which the varying circumstances of our situation presented; how humanely and affectionately you lent your personal aid and valuable counsel in early removing, from the scene of destruction, the numerous helpless women and children belonging to the troops; and how obsti-

nately you adhered to your vessel until every individual, whom despair did not incapacitate from attempting their escape, had quitted it.

If our sense of gratitude to you for these signal services did not absorb, for the present, every other feeling, we should derive unfeigned pleasure from dwelling largely on our obligations to you for your unobtrusive, but substantial kindness to us during our stay on board, as well as for your considerate and liberal attention to the wants and conveniences of even the humblest individual placed under your protection.

Whether, therefore, you return immediately to professional employment, or retire, for a time, to private life, you may rest assured that you carry along with you the sincerest good wishes and the liveliest gratitude of,

Dear Sir,

Your very faithful friends and servants,

(Signed by the military officers and private passengers.)

Captain Cobb's Reply.

Albany, London, March 8, 1825.

My dear Sir,

The kind and, by far, too flattering letter, put into my hands, at the moment I was leaving Falmouth, by Captain Sir Charles Farrington, demands my instant and grateful acknowledgements. Although I should be wanting in good

feeling indeed, did I not fully appreciate the approbation of such friends, who, in the moment of severe trial, stood forward so manfully to meet it, I have not the vanity to think otherwise than that personal friendship, and being mutual fellow-sufferers, your feelings have led you very much to over-rate my endeavours to do my duty. A lively and thankful recollection of the support and assistance I received from you all on that occasion I shall ever cherish with the best feelings of my heart, and carry with me to the grave. I ardently and sincerely hope there is some good in store to recompense you, in some measure, for past misfortunes; and, in that earnest hope, let me subscribe myself,

Your obliged friend,

H. COBB.

To Colonel Fearon, &c.

Among other proofs of skill and discipline, I cite the following :—

The Hindostan, Admiral Gardner, and several other ships, lost in gales of wind, whose captains and officers stood resolutely at their posts, the first there, and the last to quit.

In 1822, the Honourable Company's ships Rose and Princess Charlotte of Wales, in company, in the S.E. trade, approaching St. Helena, both ships with studding-sails on both sides, and sailing at

the rate of eight knots, three men were rescued from a watery grave by a most prompt and happy display of presence of mind.

The rapid passages performed by the Hon. Company's ships, the perfection and skill by which they are navigated, are the best proof of that high state of efficiency which prevails throughout the service.

The Honourable Company's ship, Marquis of Wellington, Captain Chapman, from England to Bengal, in 1829, eclipsed the passage of the famed Medusa, by more than a week, being only 81 days from the Lizard to the Sand Heads. The Atlas, Captain Hine, to Madras, made a remarkable quick passage; 84 days from the Downs.

Several ships have made the passage from China to England within one hundred days. In 1815, on hearing of the surrender of Napoleon, and the peace of Paris, the China fleet of twelve ships separated off Java, and, without sailing in company afterwards, reached the Downs within twenty-four hours of each other; a remarkable instance of the precision which is imbibed in the same school of professional skill. There are numerous proofs of ships sailing on the same day, and without meeting or seeing each other, during a passage of three and four months, have reached their destined port within twenty-four hours.

The following anecdotes are curious, and, though

not strictly bearing on the question, I cannot withhold them.

Mr. Robson, of whom such honourable mention is justly made in the narrative of the Ocean's wreck, was chief mate of one of the China ships, and a great friend of one of the Hong merchants, Consequa, at Canton, who had extensive dealings with the Americans. An American ship had quitted the port of Canton, without leaving the promised security for payment to this merchant for his cargo. Consequa became alarmed, consulted his friend, Mr. R., who, with the promptitude and generosity of a sailor, decided at the moment, hurried on board his ship, manned and armed his cutter, and pursued the American ship, boarded her, acquainted the captain with his errand, and obtained ample redress and security for his Chinese friend, whose gratitude knew no bounds. He consulted Mr. Drummond, then chief supercargo, how he could best reward the chief mate; he was told, a certain sum of money and friends would obtain him the command of a company's ship. Consequa replied, you find friends and I will find money, even to 100,000 dollars. But Mr. Robson did not live to gratify his friend, by revisiting Canton as the captain of a Company's ship.

A circumstance so highly creditable to the character of the Chinese, reminds me of the following

statement, which I copied from the "Gentleman's Magazine," June 1731.

"The Prince George, a ship belonging to the English gentlemen in Bengal, was lost in October last, in Juncan Bay, forty-five leagues to the westward of Canton. The captain, and other officers, and sailors, to the number of fifty-eight, were drowned; the supercargo, purser, two of the mates, and forty-two seamen were saved; her cargo, worth £60,000, was lost, excepting five chests of treasure. The Emperor of China being informed of their misfortune, ordered his officers to make them the following presents in his name, viz.

	Tales.	£
John Stevenson, chief supercargo,	450—	150
Samuel Harrison, second ditto .	350—	116:3:4
Alexander Wedderburn, purser, .	250—	83:6:8
Samuel Barlow, third mate, . .	150—	50
42 seamen, each	15—	210

Captain Charles Timins had the misfortune to lose the Royal George, by fire, at Whampoa, in 1824. The principal merchants sent him messages of condolence, and handsome presents for his wife and daughter. These are traits which should be generally known; and the vulgar abuse levelled indiscriminately against the Chinese character, attaching only to a few of them, should be received with caution.

I may here mention the effect superior discipline had on the decision of a captain in the American navy. I believe his ship, the Constitution, in 1814, fell in with three China ships, outward bound, fortunately in high order; the battle lanthorns displayed the formidable broadsides of the Essex and Inglis, the Vansittart was a long way a-stern; the American, hailed, made some confused reply to the question put to him, hauled his wind, and made off.

Having thus endeavoured to redeem the pledge given on a former occasion, I must express my regret at the scanty sources I have had within my reach, and my consequent inability to do ample justice to so interesting a subject. The antipathy betrayed by some of my brother officers to give information on matters highly creditable to themselves, and the service in general, precludes that scope for descriptive narrative, which would have materially assisted my researches; and, indeed, I have been apprehensive my wishes, on this head, would have received such a check, had my intentions been generally known, that I have preferred availing myself of the means within my reach, to any such controul over my plan. This explanation is due to the service, as well as to myself; and if in the performance of the task, thus inadequately carried into effect, vanity or presumption be charged against me, I am willing to bear the burthen; on no one else should it fall.

CHAPTER V.

General Reflections, shewing how the Cause of Discipline has been upheld by the Talent and Experience of staunch Friends to their King and Country.

"Look upon this picture, and on this!"—*Shakespeare.*

"The quality of Mercy is not strain'd;
It droppeth, as the gentle rain from Heaven,
Upon the place beneath; it is twice bless'd.
It blesses him that gives, and him that takes;
'Tis mightiest in the mightiest! it becomes the
Throned Monarch better than his crown;
His sceptre shews the force of temporal power,
The attribute to awe and majesty,
Wherein doth sit the dread and power of kings.
But Mercy is above this scepter'd sway;
It is enthroned in the hearts of kings;
It is an attribute of God himself;
And earthly power doth then shew likest God's,
When Mercy seasons Justice."—*Shakespeare.*

"A man of an upright and inflexible temper, in the execution of his country's laws, can overcome all private fears."—*Addison.*

"The man resolv'd and steady to his trust,
Inflexible to ill, and obstinately just."—*Addison.*

By perseverance and zeal in the cause for which I cheerfully embarked, a few weeks ago, my labours draw to a close; and, in this chapter, I shall endea-

vour to illustrate the subject, by high and indubitable authority, and by such testimony throw an additional value and importance upon the facts and statements already produced, by still stronger claims from the surest test—*practice* and *experience.* I believe it will be found that no one principle has been broached, no one opinion ventured, without being governed by collateral proof; and the merits of this work rest solely upon that stability which is built on the rock of truth. The ungenerous means which have been resorted to, by a free press, to excite an undue prejudice against the whole sea-service, has been too apparent; and my indignation has, in consequence, been roused into warmth of language, but chiefly at the ill-judged quotation from a pamphlet, which appeared in one of the most influential papers of the day, and raked up the ashes of the dead.*

> "When Vice triumphant holds her sov'reign sway,
> And men, through life, her willing slaves, obey,
> When Folly, frequent harbinger of crime,
> Unfolds her motley store to suit the time;
> When knaves and fools, combined, o'er all prevail;
> When Justice halts, and Right begins to fail;
> E'en then the boldest start from public sneers,
> Afraid of shame, unknown to other fears,
> More darkly sin, by satire kept in awe,
> And shrink from ridicule, though not from law."—*Byron.*

* Captain Corbett, of H.M.S. Africaine. Vide Appendix.

Having dwelt with much energy on the primary cause of demoralization in the character and habits of seamen, let me present a picture of good discipline which prevails on board every well-regulated ship; let fancy portray the deck of a man-of-war or a Company's ship on the sabbath-day: ships' company, marines, or soldiers, habited in their best, clean and neat, assembled on the quarter-deck, when nought but sea and sky surround them, when those impressive words of the Psalmist come home to the feelings of every one: "They that go down to the sea in ships, and occupy their business in great waters; these men see the works of the Lord, and his wonders in the deep!" Divine service is performed either by the chaplain or, if none on board, by the commander of the ship, in a suitable and impressive manner; and, in general, a sermon is preached or read. And never have I witnessed more devout attention than on board ship. Doubtless many bad characters have been reclaimed by the good examples set them on board a well-disciplined ship.

From scenes of this gratifying kind where order binds a number of fellow-creatures by the union of confidence and subordination, for many months, it is our duty, in justice to the whole subject, to follow the steps of men so well governed at sea, to their haunts on shore; truth will then declare, that those, whose duty it is to guard over the wel-

fare of British subjects, have neglected their duty. Mark the observance of religious duties by the same class of men, whose conduct throughout a long voyage may have been most exemplary, it will be found that not ten out of every hundred enter within the walls of a church, or think of crossing a street, from any religious notions of duty, the whole time they are on shore. Perhaps, some few may be led away by the celebrated floating hypocrite; and may be told, by some others of his fraternity, that the maintenance of discipline is illegal, that war is unjustifiable, and that all hands may start off deck, on the approach of a squall, or any pending danger.* In fact, there are thousands of seamen, who are strangers to religion, to good order, and moral duties, except when on board ship; and they wish, and are encouraged by some dangerous and designing people, to dictate the same line of life at sea, by upsetting every principle of good order and regularity when they are afloat.†

"The pains that come from the necessities of nature, are monitors to us to beware of greater mischiefs."

* Vide Appendix.

† Tracts were industriously circulated, some time ago, with a manifest tendency to subvert loyalty and patriotism, by some "wolves in sheeps' clothing," whose compass of religion has not one true point in it.

Divine service is peculiarly adapted to inculcate the principles of religious duty, and is so blended with the doctrines of good order and discipline, that it may be considered as the very main-stay of obedience and control.

"Fear God and honour the King."

"Good Heaven! whose darling attribute we find
In boundless grace and mercy to mankind,
Abhors the cruel."——*Dryden.*

To those few who have not read the Life of Nelson and Collingwood's Correspondence, I strongly recommend their earnest attention to the monitory lessons therein contained. Both those Admirals were just, generous, and humane. Lord Collingwood, writing to the First Lord of the Admiralty, observes, "I once intimated if the ——— were ordered to England, from the fleet, &c. &c. I have directed inquiries into the causes of the complaints which are made on all sides, without knowing yet where to fix the source of them; whether in the want of a proper government, or in the perverseness of those who are to be governed. But, in her present state, I expect no good service from her; and her example may be pernicious."

Lord Collingwood's fleet was, at this time, very inferior to that of the enemy, yet he further re-

marks,* "even without a ship in her stead, I shall consider the squadron as much strengthened by her being withdrawn from it."

Again, his Lordship observes, several months after, "It is known to you how much trouble I had with the ———, from the dissatisfaction in the ship's company. I am very glad to find that there are now no symptoms of it remaining. Every thing appears to be quiet; but, in preparing for battle last week, several of the guns in the after part of the ship were found to be spiked, which had probably been done when that contentious spirit existed."

Lord Collingwood had the felicity to save a mutineer, who was sent to his school of discipline, and under his treatment he became an *excellent* sailor.* Speaking of harsh severity, his Lordship says, "such conduct has always met my decided reprobation, as being big with the most dangerous consequences, and subversive of all real discipline."

In 1793, (when Captain Collingwood,) we find, from May 21 to Sept. 12, twelve seamen and marines were punished for theft, neglect of duty, disobedience of orders, drunkenness and riotous

* Lord Collingwood then commanded the Excellent.

behaviour, sleeping at his post when sentinel, &c.: the punishment varied from six to twelve lashes.*

When it is considered this great officer had a decided prejudice against flogging, that the duty was most repugnant to his humane disposition, and, nevertheless, learn that so skilful, so renowned an officer, with that prepossessing influence, which must attach to such a character, was obliged to flog the refractory portion of his crew,—it speaks volumes as to the necessity for corporal punishment. An officer, too, selected by Earl St. Vincent, as the fittest captain to curb disaffection, during that season so full of peril to the navy and England, when defiance unfurled the flag of mutiny at the Nore, and the signal of sedition was wafted to the Mediterranean fleet, when, fortunately† for the ends of humanity and justice, the promptitude and energy of the hero of St. Vincent, quelled so daring a display, and resumed the reins of discipline, by firmness and decision. Earl St. Vincent sent several disaffected characters to Lord Collingwood's

* "A captain! these villains will make the name of captain as odious as the word occupy; therefore captains had need look out."—*Shakespeare, Henry IV.*

† When I say fortunately, it is from that conviction on my mind, that a few necessary examples save the lives of many when mutiny rears its hydra head.

ship.* Speaking of the mutiny, Lord Collingwood says, "I hope those villains at the Nore are reduced before this; a terrible example ought to be made of them."

Nelson hoisted his flag on board the Theseus after the victory off Cape St. Vincent, where presence of mind, and that peculiar discernment, which he so conspicuously displayed, added never-fading laurels to his brow; and, to use the elegant language of his gallant friend Lord Collingwood, "inspired ideas superior to the common race of men!" The Theseus had taken part in the mutiny in the fleet, either at the Nore or Spithead; and, having just joined Earl St. Vincent's fleet, some distrust was attached to the temper of her crew, which was the reason Nelson was appointed to her. How nobly they redeemed their character when, sword in hand, her barge's crew, led by Nelson, defeated and captured twice their number, in the

* I should delight to find the first created peer, by King William, a Lord Collingwood! How gratifying to the nation at large, but more especially to the British navy, if the illustrious title of Collingwood again adorned our peerage; he who was neglected on the glorious first of June, nobly distinguished himself there, and eminently so on the 14th of February, conquered at Trafalgar, maintained the high renown of Britannia's deeds in the Mediterranean, and, finally, died in his country's cause, never enjoyed these well-earned laurels in old England, *where no Lord Collingwood has ever yet landed!*

Bay of Cadiz. These men were, with their hero, under the Mole of Santa Cruz, and nobly shared the honour triumphantly gained at the battle of the Nile.* But, to resume the subject; it is well known the renowned commanders, whose friendship existed through a series of arduous and eminent service, and whose patriotism and bravery were fully equalled by their humanity, were staunch friends and observers of discipline, but could not maintain it without having recourse to flogging.

I have just been recommended, by a friend, to refer to the third volume of Captain Basil Hall's interesting Travels in North America: the fifth chapter is so peculiarly apposite to the question at issue, that I recommend a pointed attention to the opinions of so experienced and enlightened an author, and shall enrich my present observations with nearly the whole of that chapter, which I feel confident his liberal sentiments will pardon. Captain Hall notices the extreme of misery and degradation he painfully witnessed in the Fortress

* John Sykes, the coxswain of the barge, twice saved Nelson's life. A seaman, named Lovel, tore up his own shirt to make a sling for the shattered arm of this illustrious hero: it is gratifying to dwell upon such noble acts, which raise the character of sailors to the summit of the conquerors. Nelson's gratitude to these men scarcely knew any bounds; but poor Sykes was so desperately wounded, in his defence of his commander, that he did not survive long to enjoy any reward.

of Monroe, by the discipline some United States' convicts were subjected to (about 200), each carrying a heavy chain, which hung, in a festoon, between his legs, one end being rivetted to the ancle, while the other trailed a 24 lb. shot along the ground; some were deserters from the army, others had been guilty of disobedience of orders, and other acts of insubordination to military discipline.

"The old method of punishing offences by flogging has been abolished in the American army, by an act of Congress, dated 16th of May, 1812, and, ever since, so far as I have been able to learn, from inquiries in every part of the Union, the discipline of the troops has been gradually declining.

"The soldiers also appeared discontented at the great variety of other punishments which Captain Hall had an opportunity of seeing.

"It is too much the fashion in America, and elsewhere, to call no punishment corporal but that of stripes. Yet I take the liberty of saying, that not a single one of all the substituted punishments, which I had the pain to witness, or to hear described, and which the abolition of the ancient system has forced into the American army, was less corporal in itself, or in any degree less degrading to the soldier's mind, than the former method.

" I never met an American officer practically acquainted with the subject, who did not admit that no adequate substitute had yet been found to supply the place of the long-established system; and I ascertained distinctly, from unexceptionable authorities, that in many cases the officers, in order to get the duty done at all, had been absolutely forced to adopt, at their own hazard, the old method of controlling such turbulent spirits as, without such sharp discipline, were not only useless to the service, but absolutely mischievous. The consequence is, that the soldiers, thus harassed by uncertainty, or finding their spirits broken by the disgraceful nature of the numberless ways adopted at the caprice, or by the ingenuity, of their officers to enforce obedience, are prompted to desert in great numbers. I have reason to believe that the men themselves—I mean the good soldiers amongst them—would be far better pleased if there had been no change made in the nature of their punishments. 'We should then know,' say they, 'exactly what we have to depend upon; and though the discipline might, and, indeed, to be worth any thing, must be severe, it would be regular, and we should understand it.'

" I may here remark, that it has not been proposed by the Americans to tamper in the same dangerous way with the discipline of their Navy—the stake in that case being vastly too great to be

trifled with, and the consequent difference in efficiency between the two services is one of the most striking things I ever saw.

"In discussing this very unpleasant question most people are apt, and very naturally, to introduce a greater allowance of feeling than of sound reasoning into the views which they take of the matter. But, in the end, we may be sure that sober reason alone can determine the point. The topic is one of such high importance, that I feel unwilling to pass it by; but I trust there is no indelicacy, still less any appearance of insensibility to human suffering, in considering gravely which of a variety of punishments—all of them by their very nature and intention disagreeable—shall be selected as the most efficacious in accomplishing the indespensable objects in view, at the least expense of pain and degradation to the parties exposed to its action.

"The occupations of a private soldier, or of a sailor before the mast, are extremely varied and laborious, whilst his morals are almost necessarily as loose as his joys are brief, tumultuous, and every way intemperate. He is seldom possessed of any education, has hardly any principles to steady him, and knows nothing about self-control as a voluntary habit. The punishments, therefore, which are to restrain such a being, must, in like manner, be severe and transient, in order to have the slightest chance of producing any useful effect. Such a man

is nourished with excitements; and if the stimuli which are applied to any part of his motives—either good or bad—be insipid in their nature, or needlessly protracted, he will despise them accordingly. All his ideas and all his feelings are afloat, and drifting about by every wave of passion, unchecked by much reasoning, or by any refinements.

"The very soul of sound discipline is uniformity and decision of purpose on the part of the officer—and prompt obedience on that of the men. But, in order to produce order out of such a chaos of loose materials as those which compose a regiment or a ship's crew, especially when brought suddenly together, the only practicable method seems to be that of adapting, as exactly as possible, the punishments to the habits and feelings of the persons whom they are intended to control. That is to say, chastisement ought to follow inevitably and quickly upon every departure from well-understood and established rules; it ought also to be impressive, brief, and exemplary; of a nature capable of correct measurement, and not such as, by protracting the sufferings of the offender, shall injure the health, either of the body or of the mind, but such as will send the offender at once back to his duty, with a deep sense of his past folly engraved on his recollection, associated with a strong personal motive to avoid future deviations from the straight path of his easily-performed duty

" Corporal punishment, I admit, in the fullest sense, is a most formidable weapon of discipline. It is intended to be so;—the nature of warlike service requires it,—and all experience shows that it is strictly in character with the whole spirit of those rugged employments in which soldiers and seamen are engaged, as well as with those tastes and habits by which their lives are regulated. All effective discipline, whether it be domestic or military, must have its source in the feelings of the persons who are to be controlled by its exercise. In order, therefore, to secure good results, in any walk of life, afloat or on land, in a city or in a cottage, we must work upon mankind by those feelings which they actually have in their breast, not by those of which they are assuredly destitute. Where mental delicacy, accordingly, is absent, less refined motives must be brought into play, or we shall waste our strength on mere shadows, and accomplish nothing.

" It is the greatest of all mistakes to suppose that soldiers or sailors are not, in practice, aware of these common-place truths. They certainly consider corporal punishment as painful—and what wholesome punishment is not? But if, when all things are considered, they do not themselves view it as humiliating, why should other people volunteer to consider it in that light, or prompt them to fancy themselves ill used, when they have no such

thoughts in their heads? In the apprehension of the soldier, most of these substitutes are actually held to be more disgraceful and irksome than those punishments which persons, who merely speculate on the subject, without having grappled with it practically, wish to see removed. The truth, I suspect, is, that people of education and refinement are apt to judge of this matter as they would do, if they were themselves placed, with all their present ideas and habits, in the situation of private soldiers or sailors. This, however, is not the true way to consider such a question.

"It is quite certain, indeed, that the great majority of the men themselves have a totally different set of feelings, just as they have a different set of habits, occupations, and even a different language, from educated persons. They are either by nature, or by long habit have become, intemperate in all things, and they currently treat one another in a way which would be disgraceful for their officers or other gentlemen to tolerate for a moment amongst themselves, though perfectly proper and natural for the men. Their labours are those of the hands, not of the head; and their pleasures, in the same way, are coarse, sensual, and often disgusting to persons of refinement. In one word—the whole tenor of their lives and conversation—thoughts, feelings, and actions are dissimilar to those of gentlemen. Why, therefore, as long as

such is their deportment, should not their punishments be as widely contradistinguished? In strictness, coporal punishment does not carry with it the humiliation that is supposed to attach to it.* That there is degradation, I fully admit, but this lies, essentially, in the nature and degree of the offence, —not in its chastisement.

" If an officer offends, he is punished by methods altogether different from those by which the soldier or sailor is corrected, but in a manner equally suitable to his habits and feelings, and certainly not one whit less severe. Generally speaking, indeed, the officer's offence is more severely visited than that of the private soldier or the foremast man—a reprimand, not to say a dismissal, being felt as deeply by him, as corporal punishment can be by the uneducated persons under his command.

" It would not be more absurd to invert the case, and give an officer a sound drubbing for ungentlemanlike conduct, than merely to reprimand or dismiss a private soldier or sailor when he got drunk. This is too manifest an absurdity to be thought of. But when it is proposed to do away the ordinary,

* Practical experience is our only sure and certain guide; and certain I am that the majority of seamen would prefer a certain course of punishment, with flogging at its head, than solitary confinement, and a catalogue of vexatious and uncertain modes, distant in operation and inefficient in effect.

established mode of punishment, to which the men are not only accustomed, but are quite willing to submit,—What are we to do? Recourse, it is said, may be had to other punishments, which are better adapted to their class. What are they? Solitary confinement in a dark cell—short allowance of provisions—additional labour in disagreeable and humiliating occupations—chaining heavy balls to the legs—picketing—cobbing, and so forth, are a few of the alternatives proposed. Some of these, which I do not choose to describe more particularly, have been already introduced in America as substitutes, and, by a strange misnomer, in contradistinction to what are technically called corporal punishments. But I would ask any reasonable person who happens to know the meaning of the terms, if there can be any thing more strictly corporal than the punishments just enumerated? It is said they are aimed at the mind and feelings, but surely they hit the body likewise, and in doing, carry with them humiliations—I venture to assert without fear of contradiction—vastly greater than are ever found by experience to follow in the case of the ordinary discipline.

"The severest corporal punishments, even when administered in the solemn and deliberate manner usual on board a man-of-war, very seldom last above a few minutes. Yet there is scarcely any nature so stern, or fortitude so enduring, as not

to remember, for a long period afterwards, the monitory lesson which is taught in that brief space of time. The example, also, is eminently impressive at the moment, on the minds of all who witness it. But neither the sufferers, nor the spectators, feel any of that permanent humiliation so generally, but erroneously, imputed to them on these occasions, by persons who are not aware of the character and habits of soldiers and seamen. To this it is sometimes answered, 'So much the worse—the fact of their not caring shows how much the system has degraded those who are exposed to its action.' But it seems to me that this is mistaking one thing for another. The true degradation, as I said before, lies in the crime, not in the punishment, which is strictly in character with it; and until means can be devised for working an effectual change in the nature of these men's habits, it seems much worse than idle to alter a system which the experience of so many years, under such a variety of circumstances, has proved to be singularly efficacious. In point of fact, however, this remedy does come in time; for when a ship—and I presume it is so with a regiment—is once brought into good order, the men do virtually change their nature, by leaving off those dissolute and disobedient habits, which invariably characterise them when they are left free to act for themselves, or when the discipline is lax. As soon

as things reach this desirable point—which ought to be the grand aim of every officer—the punishments in a great measure cease.*

"But it is far otherwise when the new punishments are adopted. In the first place, the duration, if not the severity of these substitutes, is always much protracted. For, as the professed object is to avoid bodily pain, the castigation must be extended in proportion to its mildness, in order to allow of its producing any effect either on the offender as a lesson, or on his companions as an example. Solitary confinement—the most horrible of punishments when prolonged to any extent—is nothing at all for a short space of time to a person accustomed to hard labour. These men, also, are so little accustomed to the independent exercise of their own thoughts, that we expect a great deal too much if we suppose they will at once turn solitude to good account. Consequently, when a man so circumstanced is placed in solitary confinement, he will be disposed to brood over the severity of the punishment, in order to encourage vindictive feelings towards his superiors, and hatred towards the duties of his profession; so that, when at length he comes out, he will probably be a worse subject than when he went in, still less tractable, and

* Very true; and no ship presents so much comfort and content as that which can boast of discipline; where there is a long pull, a strong pull, and a pull altogether.

more anxious to desert. Meanwhile, all the benefit of example is lost—the culprit's sufferings, whatever they may have been in fact, are not witnessed by his fellows—and if he has a spark of manly spirit left when released from his dungeon, he will be sure to make light of his punishment amongst his companions. But no man, or not one in a thousand, can do this at the gangway. And although it may be true, that he feels, when under the lash, no great kindness to his officer, the transient nature of the punishment leaves no time for discontent to rankle. At all events, I never remember having detected, during upwards of twenty years' service afloat, the smallest symptom of ill-will resting on the mind of any sailor, whose punishment, however severe, was strictly in accordance with established usage.*

" It is a singular fact, and well worthy of being carefully borne in mind during these discussions, that all men, particularly in those walks of life of which I am now more particularly speaking, have a strong tendency to conform, without much reflection perhaps, but quite cheerfully, to whatever is technically or habitually established. They are

* I can conscientiously bear witness to the truth of these opinions from all I have seen; and feel confident, that punishment which deprives a sailor of the cheering solace of his messmate will tend more to harden him than twenty floggings would do, and also to excite more ill-will against his superiors.

almost always more harassed and teased, than obliged by any changes from ordinary custom to those methods of discipline which seem more lenient, but which generally prove far more irksome, probably from not being so well understood. Even in merchant-ships, where no legal power is vested in the master, he may, and does currently, punish his crew, who submit with perfect patience, so long as the method and the degree of the correction, but especially the method, are strictly technical and habitual amongst persons similarly placed. If, however, the master's temper gets the better of his judgement, and he inflicts even a minor degree of punishment in a manner not strictly according to long-established usage, the crew no longer submit, but become discontented and turbulent, and eventually bring the master to an account. I have observed, accordingly, that judges and juries are generally guided, both in the American courts and in ours, by these identical feelings, and direct their chief inquiries to ascertain, not whether the correction has been more or less corporal, but exclusively whether the forms observed are those customary in such cases at sea.

"The very same principles, in point of fact, regulate the discipline in ships of war, and I presume also that of regiments. So long as the established customs of the service are rigidly adhered to, all goes on smoothly, the men are contented

and happy, chiefly because they understand exactly what they have to trust to. They know how to keep out of scrapes, and they well know the penalty if they fall into them. I have often heard them say, 'Well, I have got into a pretty mess, but I must back it out!' and so the thing passes. In the course of time—or as soon as the crew have learnt, as the saying is, 'the length of the captain's foot,'—all parties find it their truest interest to do what is right, after which, punishments, as I said before, either cease altogether, or become extremely rare; as Nelson truly observed, 'Lenity at first is severity at last.'

" But when the mild system—contradistinguished in name from corporal, though just as corporal in fact—is adopted, all this compactness of system is cast adrift. There is little or no measure in the amount of punishment, which then follows so sluggishly upon the heels of offence, that the crime is generally forgotten in the chastisement. Whenever this is the case, the punishment, as a matter of course, assumes a vindictive aspect.

" No people know the truth of these things better than the seamen themselves. When the fleet mutinied at the Nore, it never once entered into their thoughts to stipulate for the abolition of corporal punishment. Such a wild project was never even spoken of. So far from harbouring any notion of the kind, the ringleaders themselves, in every

one of the ships, maintained their authority, by keeping up the ordinary discipline, through those very means—with this important difference, however—they were more than doubly severe in the use of the lash, than their officers had ever been. These able but desperate traitors, well knew that there were no other means of enforcing prompt and effective obedience—and their authority, by its very nature, being unsubstantial, they called to their aid a larger share of severity than their legitimate superiors had ever found it necessary to use—but they never dreamt of altering its character.*

As it cannot be denied, that by far the greater proportion of all permanent and effective obedience is due to opinion—to custom—to tacit agreement, or whatever else it may be called, a judicious officer will never be disposed to use punishment with any other object in view than as a preventive to crime. But all experience proves, that, in order to carry with him the sympathies of the people he has to deal with, he must maintain the established or known order of things, by endeavouring as much

* The reader should never lose sight of one redeeming quality, which distinguished the mutinies at Spithead and the Nore;—no sanguinary principle of revenge stained the conduct of the mutineers; they claimed redress for their grievances from the government, and did not seek to satiate their rebellion by any means of petty revenge.

as possible to conform to recognised punishments—not to devise new ones.

"That such power is peculiarly liable to abuse is so obvious, that every person in command ought to be circumscribed by responsibilities of the most distinct nature; and no officer should ever be allowed for one moment to escape the vigilance of still higher and more responsible authorities. Such superintendence will never interfere with good discipline, because it will always be directed to the detection of departures from those technical usages, which, as they derive their chief excellence from the circumstance of being well understood by all the parties concerned—men as well as officers—it is of the greatest consequence to preserve unchanged, in order to their being duly watched.

"The regulation by which officers are obliged to make periodical and detailed reports of the number of punishments inflicted, has undoubtedly improved the discipline of the British navy.* It has

* I am not so sanguine on this head as the author, and verily believe that discipline has been on the decline ever since some of our most eloquent statesmen, more zealous than wise, broached their theoretical doctrines on naval discipline. The highest point of order, to which our gallant navy arrived, was in the days of Howe, St. Vincent, Duncan, Nelson, and Collingwood. I have no doubt that rules framed by the Admiralty are more in accordance with the dictates of popular prejudice, (good in themselves as far as theory can recommend them,) but yet liable to check the

acted in two ways :—first, by lessening the actual number of punishments, and, secondly, by in creasing the vigilance of the officers, who are now stimulated to exert themselves to prevent crime, in-order to avoid the character of being unnecessarily severe. The uniformity of the system has also been so firmly established by these means, that any young or intemperate officer must now adhere, in spite of himself, more or less to a regular course, familiar alike to the men and to their superiors.

"If benevolent but inexperienced persons imagine they can lessen the amount of human suffering by abolishing the system alluded to, and yet have fleets and armies in such a state of discipline as shall enable them to meet an enemy at any given moment of the day or night, I believe they are very much mistaken. The truth, I suspect, is, that many people cannot bear to think of there being any punishments at all; and their schemes, if

preservation of good order in all ships, and under all commands. Some officers, rather than swell the list of punishments in their log-books, restrain the hand of justice when necessity demands it should be uplifted; in fact, they sacrifice inward support of subordination to outward shew. All those with whom I have conversed on this subject attribute the wane of discipline to the ill-timed interference of Sir F. Burdett, Mr. Hume, and others; and, so far from any good arising from inexperienced and speculative notions, such opinions have a manifest tendency to deteriorate the loyalty and devotion of a British seaman; and to what lengths would not these wholesale dealers in popularity run their course?

fairly analyzed, will generally be found to aim at its total abolition. But statesmen and officers in whose hands the defence of the country has been placed—whatever be their private feelings—are forced to view the matter differently; and as strict and uniform discipline is obviously quite essential to that defence, they dare not risk the honour of the country by relinquishing the only means which have been found generally effectual in accomplishing objects of such high importance.

" Before I conclude this painful subject, I may remark, that it is the greatest of all mistakes to suppose the captain of a man-of-war a mere despot. In fact he is the most limited of all monarchs. He may, it is true, make himself very disagreeable; but if he step aside—or is supposed to step aside—one hair's breadth from the 'laws and customs used at sea,' the lowest cook's boy, as well as the oldest officer on board, has always a ready appeal—a privilege, by the way, of which they are by no means slow to avail themselves, as the captain often discovers by return of post, in terms which prove to him that a goose-quill can sometimes cut much deeper than a cat-o'-nine-tails.

" The exertions of really philanthropic men, however, who wish to diminish the amount of human suffering in armies or fleets, as far as may be consistent with the maintenance of proper authority, ought to be directed to the improvement of disci-

pline, not to its subversion. There are, I conceive, various ways and means of modifying the present system, so as to make it still more the duty and the interest, as well as the pleasure of the officer, to substitute the prevention of faults for their chastisement.

"I shall not allude further to these measures, than by assuring such persons as take an interest in this important subject, that they have no resemblance whatever to the revolution which has been brought about in the American army. The discontented, as well as the confessedly wretched state of discipline into which troops have fallen, in those places where the change has been made, is the best commentary upon the ball and chain, the starvation, and the solitary confinement system; while the high state of efficiency and perfect cheerfulness of regiments and ships, under the old method, is the clearest evidence of its superiority.

"It ought always to be recollected, however, that reckless as the character of soldiers and sailors generally is, they are yet keenly alive to the feeling of being observed; and there is no class of men upon whom commendation, or any other judicious kindness, is bestowed with more advantage, when it comes from those whom they have been taught to respect. Vigilance, therefore, and exemplary conduct on the part of the officers, while they essentially tend to prevent the commission of faults, and

consequently the necessity of punishment, place in their hands the far more graceful power of rewarding good conduct.

"Nothing, indeed, is farther from my intention, in the foregoing reasoning, than to recommend the frequent or familiar use of severe measures. My sole purpose is to show, that, in cases where serious punishment of some kind is found absolutely necessary for the maintenance of effective discipline, the old system is far better, not only for the public service, but also for the individuals exposed to it, than the futile and harassing substitutes which have been tried in its place."

How admirably adapted are such able opinions, governed by zeal and talent, to support the cause of discipline! and it cannot be urged with too much emphasis that the glory of England attaches to subordination throughout her army, her navy, and her commerce.

I must now revert to the necessity of selecting or appointing on juries, to try all nautical or naval subjects, men, whose decision is frequently of the greatest importance, who have some knowledge beyond theory to govern that conscientious discharge of duty which every juryman feels he is bound to perform. I can relate an instance where ignorance, on a question of this kind, warped the judgement of judge and jury: an officer of an In-

diaman was tried, at Westminster-Hall, for punishing a man who refused to go aloft and ease the main-top-gallant-mast, saying, he could not, and the mast must be sent down to be reduced, which was then being swayed up and was found too large in the wake of the cap; the plaintiff, a carpenter's mate, and a West Indian or American black, was exceedingly insolent, and pertinaciously refused to obey, unless the mast was lowered on deck; another mechanic was sent aloft and did perform the required duty. The judge and jury asked if the mast was lowered for this purpose; yes, was the reply, it was struck. The foreman of the jury rose and said, "My lord, we are satisfied." I was in attendance, urged the attorney to suggest a question through the bench, or to call me into the witness box, which unfortunately was not done, and my friend lost the cause. For the benefit of my inexperienced readers, who, like the learned judge and jury in the above case, are ignorant of such matters, I must explain that striking a mast is to lower it partly down, to send a mast upon deck after being rigged as the one in question was, and as required by the plaintiff, is a long and troublesome job on board a merchant ship, and, besides, *was not requisite;* that part of the mast, which required being eased, must, to allow the carpenter to work upon it, have been lowered or struck; such an operation was consequently performed, and

a carpenter *did go aloft and reduce the mast* in the spirit of the *original order* issued by the chief mate, who was mortified by being told in an open court, by the learned counsel and the judge, that he was a bungling fellow, had given orders that could not be executed, and that he punished a man for telling him such an order could not be obeyed, and eventually enabled the other mechanic to reduce the mast by *lowering it down*, whereas the difference is as great as repairing the dragon on Bow-church-steeple by lowering it down to some convenient gallery aloft, instead of landing it before the jeweller's shop next door.

Captain Driver kindly furnished me with another case in point: he observes, "In all shipping causes, the jury should be seamen, for, about two years ago, I saw a very unjust decision in the case of the barque Recovery and brig Calypso, which vessels ran on board of each other and one sunk. The verdict was just the contrary of what it ought to have been; this was entirely owing to the ignorance of the jury regarding the case."

It is astonishing with all our experience how much *injustice* often usurps the cause which impartial and stern justice demands, by warping men's ideas and better judgement, through the skill of able counsel, and the inaptness of jurymen to decide upon technical and professional difficulties—practical knowledge should guide theoretical.

It is necessary to claim particular attention to the unmerited hardships which bear upon the important and responsible station of a commander in the Honourable Company's naval service; sworn in to the command of the largest and most valuable merchant-ships in the world, having at times between 600 and 700 lives placed under our care, we are launched upon a long voyage, without any defined instructions, to preserve discipline among our seamen; practical experience has been our only guide; and corporal punishment has been resorted to under the law of imperious necessity, and has been further sanctioned by those decisions in the Courts of Westminster, and the High Court of Admiralty, which have been elicited through appeals to those tribunals made by seamen, and dearly bought by individual vexation and pecuniary loss! And why have we all been liable to such fearful consequences? Certainly, they have resulted from a zealous and firm discharge of arduous duty; the unflinching support of discipline, and the staunch and steady protection which, by a resolute show of authority, we have given to life and property. For the truth of this, I appeal to those honourable Directors who have commanded ships themselves, and who, by their example, led us the way; and I will ask that collective body, if such an anomaly can be considered either just or judicious, which, on the one hand, places so much at stake, and, on

the other, creates heavy loss and responsibility, and, what is worse, the odium attached to the charge of cruelty and oppression. We are undoubtedly in the service of the Honourable Company, being amenable to all their laws and regulations, and subject to fines and penalties if we transgress them; then surely our conduct, when unexceptionable, and under the guidance of zeal and integrity should be shielded by their influence and power.

We have numbers of young soldiers (Company's recruits) placed under our entire command at times, and, at other times, by a conjoint command, to preserve an efficient state of subordination with these men, our instructions are full and ample: how much more essential for the welfare of all embarked is a due control over a crew hastily procured, through the agency of crimps? and frequently, during severe weather in the Channel, not ten of the crew are in any way known to either the captain or his officers as being thorough seamen. We cannot be insensible, when summoned to perform the most painful duties attached to our command, how powerful is the excitement on the minds of a ship's company embued with a rankling prejudice to any system which borders on martial law. An opinion generally prevails amongst them that flogging is illegal, and, consequently, unjust: thorough seamen are doubtless, when crime is flagrant, reconciled to the necessity of the

measure, but all, more or less, view the character of their captain as harsh and tyrannical in the exercise of this extreme power of his command.* Several commanders have had actions brought against them for inflicting the punishment of flogging, have endured all the taunts of clamour and prejudice, teeming with acrimony through the press, have been most honourably acquitted, and the severest censure has been cast upon the plaintiff, and his friend the extortioner; but at great pecuniary loss. There is but one opinion, throughout the service, on this very subject, and I do earnestly hope a question of such importance will meet the attention it demands, and that the mercantile interests of the country will be materially assisted in obtaining that effectual remedy all seek, by the influential zeal of the Honourable East-India Company. No merchants in the world have so much at stake as the Honourable Company; they are, and always have been, their own underwriters. Finally, on this subject let those who exercise their authority with undue severity bear the brunt of their evil deeds, but others have a claim which impartial justice

* Almost every case of mutiny related in this work has originated from these very impressions, which are so strongly fixed on the sailor's mind. Blood has already been shed to enforce discipline. Such doubts, although removed by high authority, still only arm a commander with discretionary power; but the tenor of whose sway should be supported by the laws of his country.

should guarantee,—and bear them out harmless; and I do declare, as my firm opinion, and I believe it is one which generally prevails, that, were commanders of merchant-ships vested with legal power to inflict corporal punishment,—seamen would yield to such high authority without a murmur, the ill-will which supposed severity engenders would subside, and the terror and disgrace attached to so public an example, when *absolutely necessary*, would strike the culprit and the crew with reverence and awe; but the best effect of all, would be the *decrease* of crime, and the happy *decline* of punishment. Let it not be supposed that I lose sight of the welfare of all in the merchant-service: the observations I have made apply equally throughout; and it is the bounden duty of all corporate bodies, or owners of ships, to guard and protect that authority which is empowered by them, to watch over lives and property, and on which devolves so much care and responsibility.

However, great the presumption, I cannot avoid noticing one very unjust practice,—a disaffected or discontented sailor attempts, on his return from a voyage, to seek a compromise from his commander for an alleged assault; this fails, and, from a highly wrought statement, his petty fogging lawyer applies for the borrowed aid of commanding eloquence; but before that tribunal which levels all to the claims and dictates of stern justice,—perjury and malice sustain a complete defeat: the counsel is

paid by some means; the attorney throws the dice and abides by the chance; but, by some inexplicable manœuvre of law, the plaintiff's person is for three days, or some given time, inviolable; whereas, did some summary power intervene and place him in restraint, to answer for his perjured schemes, such infamy would be effectually checked. Again, this very plaintiff is a man of straw; to prosecute him would be to throw away good money after bad:—all this may be law, but is it justice?

> " 'Tis arrant barratry that bears
> Point blank an action 'gainst our laws."—*Hudibras.*

Having ventured to predict the consequences of the decline and fall of discipline by stubborn facts and arguments, which, in my humble opinion, are unanswerable, it may be as well to introduce one circumstance, *out of date*, it may be said, but not *out of place;* and what has happened on board ship may certainly happen again.

Extract from the Voyage of Captain Shelvocke.

Showing the independence of his crew:—their extraordinary state of insubordination:—how they dictated terms, which, to avoid a greater evil, he yielded to:—the owner's agent and ship's company's agent were two of his crew.

1721. " After suffering shipwreck on Juan Fer-

nandez, and sustaining innumerable hardships, through privation, mutiny, &c. two boats were built there. The carpenter, a turbulent fellow, struck for payment, and gained his own terms. By dint of bravery and perseverance, a ship of 200 tons was captured, on the Chilian coast, and yet, notwithstanding their providential escape, the crew became so ungovernable, made free use of some prize brandy, divided into two parties, fought, and the captain himself had his clothes torn off his back in his attempt to restore order; and Captain Shelvocke observes, "my land and sea officers were now obliged to learn how to steer, and take their turns with the seamen; such was the pass they had now brought themselves to; for, by sinking my authority, they had absolutely lost their own, and were even in a worse condition than I, insomuch as the crew, for their own sakes, were obliged to have recourse to me upon all emergencies, obeying me punctually while these lasted, and abusing me plentifully as soon as they were over."

In October, 1815, the riotous seamen in the ports of Sunderland and Newcastle preserved the most systematic order and very severe discipline. Any seaman of their party who missed muster (which took place twice a-day) was paraded through the principal streets of the town, having his face smeared with tar, and his jacket turned inside out. He was afterwards mounted on a platform attached

to poles set up in triangles for the purpose, where he remained at the mercy of the mob. These refractory seamen had committees, and preserved the most arbitrary sway.

As people on shore may have had some experience of the lamentable consequences which follow the successful efforts of a lawless mob, Lord George Gordon's to wit, let fancy, on which they love to dwell, present a ship, gallant and trim, one of the loveliest sights, 'tis said, in the world, and, certainly, very pretty at times; let them imagine passengers, lovely woman, man's best friend, as part of her burthen;—mutiny capsizes discipline, binnacles and all; the course of confidence is lost, and no compass is left to steer by, save that point to which all the phrenzy of despondency directs its devoted victims,—what escape have the vanquished! In London, and every other populous city, there are back doors, bye lanes, &c. but, in the midst of the ocean, where is our retreat? some successful mutineers, more merciful than others, have given their hapless prey a boat and a bag of bread, as in the instance of the Kate;* but even the captain's wife, on her knees, could not break the obduracy of these hardened wretches, who refused her husband and herself a compass, to direct their course, cast them adrift on the ocean of despair, — on the wide

* Vide Chapter II.

expanse,—where sea and sky environed their misery!

Some miscreants have murdered their officers in cold blood; others, again, have turned their lawful guardians adrift on a desert island:—but as this horrible catalogue, which presents to my view so many dreadful scenes of disgrace, must close, I forbear dwelling any longer on its lengthened career of human degradation and wickedness; the facts, which substantiate this black and dismal list, must carry conviction to the mind of the most prejudiced how essentially necessary it is to place a controlling power in the hands of every commander; and I am convinced the safest and most humane system is built on summary means, and to guide these means by justice and humanity, it is absolutely necessary to empower the commander to receive evidence on oath, and, consequently the power to administer an oath. I will briefly illustrate these observations by two examples:—

The Hon. Company's Ship Princess Charlotte of Wales, at sea.

April 3, 1830, 4, p.m. John Carty, a soldier, having lost a great coat, and found several fragments of it in the fore-top, search was made, and the remainder of the coat found in a chest in the fore-top. On turning the hands out, and dwelling upon the disgrace attached to theft,

and singling out the fore-top men for general reprobation, J. N. came forward and acknowledged having taken the coat from the fore chains, but declared it was his intention to have given it up, and that he saved it from being lost overboard.

Held an immediate inquiry of sworn officers, presiding myself; it appeared, through the evidence given by the soldier's witnesses, that the coat had been cut down from the fore rigging, where it had been hung to dry: the evidence produced on the prisoner's behalf was vague, and excited a suspicion of collusion on the part of several of the top-men, and, when examined by the prisoner himself, betrayed that prevarication which is the surest proof of guilt on all sides: we could not get at the real state of the case, owing to the cloak these men sheltered themselves under, that they were not bound to betray their shipmate; they *were not upon their oath.*

The prisoner, when called upon for his defence, acknowledged he had taken the coat into the fore-top, but was checked when about to *criminate* himself by a further detail.

The Court was cleared, and the members were unanimously of opinion that the prisoner should have the benefit arising from the want of evidence in proof of his guilt, and that he should not be condemned by his own confession,—censured him, in severe terms, for not having at once delivered the coat to some person, or made known that he

had it, and warned him of the consequences of such conduct in future. The hands were again turned out; the minutes of the Inquiry made known, but the ship's company were told that this man's escape was partly owing to his previous good character, and should crimes of this kind be attempted again, and people found base enough to screen a thief, that corroborative evidence would be held sufficient to convict him.

Another seaman was charged with having struck the master-at-arms and disobeyed the orders given to put out his light. On the Inquiry it was proved that the chief officer saw the prisoner and the master-at-arms together, near the main hatchway, just before the master-at-arms complained to him of being struck by the prisoner, and his mouth was bleeding, and it was near where the chief mate saw them that the assault was made; yet, from want of honesty, the prisoner's messmates swore he was in his berth at the time, or elsewhere; in fact, the ends of justice were defeated by false witness. On the following morning, in presence of the ship's company, the preliminary arrangements for punishment at the gangway were displayed, the prisoner stripped and tied up; I then declared to the ship's company my firm conviction of this man's guilt, impressed on their minds, the shame of bearing false witness, and that any daring attempt to disobey orders, or to strike a petty officer in the

execution of his duty, or otherwise, would not and should not escape, and desired them all to bear in mind how just and impartial discipline was maintained, that, as no positive evidence convicted their shipmate, so, as by the laws of their country, he should have the benefit arising therefrom. Surely it will be allowed that heinous crimes may be committed, and escape with impunity, if perjury is to screen the offenders. We know that Jack will upbraid his messmate for giving evidence against him, and say, " I got my flogging through you : you was not on your oath ; it is a d——d shame that you said so and so, and if our messmates were all of a mind, they'd give you a smart cobbing."

When I was in the Kellie-Castle, one Sunday evening, near the Channel, homeward-bound, all hands were kept standing by their hammocks some time, taking advantage of such an opportunity to trim sails. On the hammocks being piped down, two men came running up, saying a man, named Williams, had hung himself; the surgeon went instantly to his relief, and found him close to his hammock, to which he had been confined through sickness several days;—he was quite dead. We had every reason to believe this man had been guilty of murder, from the evidence his messmates gave of his raving, &c. and his dread of returning to England.

The Hon. Company's Ship Marquis of Huntley.

Two men were taken, by the Bow-street-officers, from that ship, at Gravesend, outward bound, tried for the murder of some person at Vauxhall, for which one was hung. These and other samples of an Indiaman's crew may unfold the nature of discipline requisite to prevent crime.*

When the advocates for solitary confinement bear in mind the size and rigging of a China ship, that her crew are only one-fourth the number allotted to a ship of the line, and her equipment, in masts, sails, and rigging, is in every way equally heavy, and that scarcely one Indiaman proceeds to sea without some hard bargains or useless live lumber; and that the proportion of idlers, or those who do not go aloft, is not according to the number of her ship's company, but bears almost an exact proportion to the same class on board a sixty-four gun ship. When these matters are duly considered, the friends to solitary confinement must pause ere they sanction such a source of weakening the effective force of a crew. This argument bears equally strong on the management of every ship in the merchant-service.

I must notice a feeling which has been cherished by the daring insolence and ingratitude of seamen, on the minds of their superiors, fatal to the future

* The prospect of a long absence from the scenes of their iniquity is the chief cause of criminals seeking a retreat on board an East Indiaman.

welfare of this neglected class of men, who are so mainly dependent on the bounty of their countrymen; some commanders and officers are so thoroughly disgusted with the want of proper feeling on the part of sailors in general, that I fear the cause of charity may, in consequence, sustain a serious loss, by numbers withdrawing the support they have hitherto so liberally bestowed in aid of the Seamans' Hospital. On the one hand, I wish to caution British sailors against that wanton ingratitude and insensibility, which too often warps the true springs of conscience; poisoned as the source of their's is, by time-serving and self-interested FRIENDS, they are not aware of the injury they do themselves. On the other hand, I must take the liberty of advising those generous and humane friends of sailors, to act, as they always have done, from principle, and not suffer their charitable acts to be biased by the misconduct of some misguided men, whose failings are not of the heart, but are the evil of contamination from that polluted fountain which we should all strive to purify.*

To diffuse every possible information respecting the government of a ship, some interesting correspondence and editorial remarks, which have appeared in the daily papers relevant thereto, are published in the Appendix. By these it will ap-

* "It is better to expose ourselves to ingratitude than to be wanting to the distressed."—*Bruyere.*

pear, the causes of insubordination veer to the same point, *the need of maritime law.* Neglect is imputed to the corporation of the Trinity-House, by one correspondent, on whom it is said, devolves the important duty of controlling the mercantile marine: now, I believe, the original charter, granted to the corporation, gave powers to make laws and statutes amongst themselves, for the relief, increase, and augmentation of the shipping of England, to levy pains, subsidies, &c.; how far such powers can extend now, when the commerce of England exceeds the whole tonnage of armed and merchant-ships throughout the world, when that society was first incorporated, is far beyond my comprehension; but I may be allowed to suggest the policy of unanimity, coalescing all the influence of maritime and mercantile talent, to frame such a code of laws and to adopt such other measures as may be thought necessary to give them the sanction of the highest authority; indeed, I understand, that, staunch supporters of discipline and warm friends to the true welfare of the merchant's service are now zealously pursuing this desirable object.* It is not our duty to sift into all causes of neglect which may have accelerated the pre-

* I believe a code of maritime laws has lately been discovered, framed in olden time; and, although obsolete, may guide our plans and be the ground-work of a legislative enactment suitable to all purposes of control.

sent deplorable state of our merchant-navy; it is not when the ship is on a lee-shore in thick weather and an increasing gale, that her officers and crew are to argue the point or question the judgement which placed her there; every man must then do his duty, or the ship will be lost and their lives in jeopardy; so, with the advocates for good order on board ship, we must be true to ourselves or our cause will irrevocably perish, anarchy will follow, and life and property will be at the mercy of a lawless and ungovernable crew.

There is another point which merits attention: the propriety of a scale of due and efficient wages, which, by some arbitrary sway, seems to be at a fixed standard in the Hon. Company's service, whereas, in other merchant-ships, it varies, as may be said, according to the market-price: now my experience fully entitles me to say, that the wages on board Indiamen are too low, and that the consequent employ and encouragement of crimps, fosters a spirit of abuse and disaffection, and stifles that noble impulse of emulation which was once the spur to a sailor's daring intrepidity. How can we compete with other merchant-vessels in the choice of a crew, when the very reward for a sailor's services is thus limited and constrained. On board a West Indiaman or free-trader the seaman's wages are from 45s. to 55s. per month; a Company's ship, *an able seaman* receives only 35s.: this low rate of pay in the East India service is, undoubtedly, one

of the most serious causes of present trouble, and has been a source of the greatest evil and annoyance for a number of years. To avoid heavy demurrage, the very refuse of those who wear a blue jacket are shipped as seamen, and the fore-topsail shivers in the wind, without, as I have remarked before, ten of the whole crew being in any way known to their commander or officers.

A powerful argument against this measure ought to subdue its operation, viz.—economy. Crimps are paid for their hire, men are found among the crew perfectly useless; and, before the ship passes the Downs, some are discharged, and the two months advance they have received are lost: sometimes much worse, they go the voyage and are a nuisance throughout; either labouring under some incurable disease or mental incapacity; in short, numbers make a hospital of an Indiaman, as having the most superior medical aid of any class of merchant-ships. I will give a strong proof of this evil. In 1825, I sailed from the Thames with a most wretched crew, under the impression that better could not be obtained: two anxious nights upon deck, in the Channel, convinced me of the inefficient state of my ship's company—I never saw such a medley of hay-makers in my life. In all these matters I judge and act for myself; I bore up for Plymouth, sent an express to the Court of Directors and the managing owner, discharged the worst men, and procured fourteen thorough

seamen in lieu of them, who were our main dependence throughout the voyage: and I must say, were these matters fairly represented to the Court of Directors, and if commanders of their ships would unfold the many anxieties and annoyances they have endured through inefficient ships' companies, an evil fraught with such alarming consequences could no longer be tolerated. Ten shillings per month to every able seaman would have avoided the delay and expense, and would prove, in the long run, *economy*. I am firmly of this opinion; but while we are sent hap-hazard to sea, through the agency of crimps, something more serious will follow. The proofs we have already of dear bought experience are alarming enough, but when some of these splendid merchantmen are run away with, or are wrecked through the disaffection or incapacity of their crews, then the consequences we apprehend will rouse all to a sense of duty. I believe the Halsewell was lost owing to drunkenness, and neglect of most of her crew; Captain Meriton, one of her officers, was a most excellent seaman; so was Captain Rogers, the third officer: but though officers are obliged to exert their powers beyond what human nature can well sustain, yet we cannot expect them to possess Herculean strength.

If petty officers were better paid, and a rather broader line of distinction was made between them and the foremast-men, I am strongly of opinion much good would accrue. Whilst talent and experience

go hand-in-hand to frame laws for restraint, let us not lose sight of that gratifying duty which shall portion to the well-conducted seaman due reward and encouragement. Every officer is well aware how hard the duty and fatigue of body is the good man's share, on board an indifferently manned ship; and when, as is sometimes (but, I hope, rarely) the case, the two classes are confounded together, then it is that seamen have cause for discontent. We should all study that peculiar art of discrimination and discernment, the palladium of discipline.

That England still possesses numbers of those gallant seamen, who are the natural guardians and bulwark of her vast empire, I firmly believe; but it behoves those, who watch over our liberties and our glorious constitution, which is an Englishman's boast and pride, to protect the band of heroes who have nobly done their duty, and are always ready to do it again, from being contaminated by mixing with the outcasts of society, where venality and corruption grow in the hot-bed of disaffection. I have endeavoured to point out the means of eradicating this serious evil; it remains for those who wield the power to be true to their country's cause.

> " Safe in the love of Heaven an ocean flows,
> Around our realm, a barrier from our foes."—*Pope.*

A British sailor was, and, I hope, still is, faithful and true to his king and country, invincibly brave in

battle, and yet his clemency in victory has equalled his courage in action;* frank and honest, he possessed the generous sympathy of humanity warmed into amiable feelings for all who were objects of his pity and compassion;—staunch and firm when the vicissitudes of weather and climate summoned him to his duty; steady and cool in moments of peril and danger; prompt and obedient to command; an ardent admirer of his country's renown, and to the individual glory attached to the services of his favourite ship.†

> "How gloriously her gallant course she goes!
> Her white wings flying—never from her foes—
> She walks the waters like a thing of life,
> And seems to dare the elements to strife.
> Who would not brave the battle-fire—the wreck—
> To move the monarch of her peopled deck?"—*Byron.*

These characteristics of a sailor are not without those shades which attach to us all more or less. These men, the pride and safeguard of their country, are restless and discontented at times; they seek solace occasionally in grumbling, and ebul-

* A sailor at Fort Omoa, in the Bay of Honduras, having roused a Spanish officer, and taken him by surprise, offered him a sword to defend himself.

† The exploits of distinguished regiments inspire emulation when the colours which blend their brilliant achievements are unfurled. The soldiers of Waterloo have every man a medal: are the deeds of seamen beyond any power of gallant and towering display?

litions of temper, which it is wise to pass unheeded, when we know such eccentricities are the whim and caprice of the moment. Despondency will drive the most manly and generous spirits to give vent to feelings, which the best among us cannot, at all times, subdue; the sailors' improvidence,—the bitter reflexions following his short-lived cruize on shore; and the restraint over all his actions afloat, offer some excuse and indulgence for the peculiar traits of his character. As it is the statesman's duty to guard over justice and political expediency, to govern particular circumstances by the policy of the times, and particular situations, so it is the duty of every commander to watch with vigilance and circumspection, to be sure the examples of punishment he is compelled to make shall strike respect and inspire confidence by the impartial hand of just but vigorous rule. When seamen are conscious of guilt, they are, in general, fully sensible of the necessity which exists of preventing crime; and it should be our bounden care to avoid the frequency of degrading punishment, which, by multiplied examples of severity, may undermine the very principles we advocate.

Having, in the preceding pages, reprobated the various acts of mutiny and insubordination with becoming severity, and having now exhibited a faithful portrait of what a British seaman was; and I hope, in numerous instances, still is; and by a skilful system of care, good treatment, and proper

discipline is still likely to be, I will venture to offer a few golden rules for the guidance of every commander and officer in their conduct to their ship's company.

The main-stay of discipline is justice, therefore punish no man on hearsay evidence, or on bare suspicion, but give the accused the full benefit to be derived from the laws of his country.

A striking case of the necessity of this circumspection may be gathered from the following fact, related in a very valuable work, by Captain Griffiths, R. N.

H. M. S. Cæsar, Gibraltar.

A forecastle man, one of the best men in the ship, was brought off from the shore by two serjeants, accused of having picked the pocket of a drunken companion; and the story was so well told, that no doubt existed in the mind of any man who heard it. The man was, consequently, ordered up for punishment and required to confess. This he positively refused to do, and firmly asserted his innocence; the captain, unwilling to hazard the punishment of an innocent man, resolved to try him by a court martial, when the subject might receive the fullest investigation.

"When certain to o'ercome, inclined to save,
Tardy to vengeance, and with mercy brave."—*Prior.*

The accused implored to be punished; said he

must be convicted, and that his punishment would be so much more severe. He was, however, remanded into confinement; and the chaplain, the Rev. Evan Holliday, constant in his good offices to men so situated, aided him to produce contrition and confession. Struck by the tenacity of the accused to the assertion of his innocence, he went on shore, and, by dint of the most indefatigable researches, at length discovered that the seaman was innocent, and that the serjeants themselves had perpetrated the robbery.

How creditable to all parties was this exemplary line of conduct; such characters have, indeed, a prior claim to our notice, and are most deserving our imitation.

Let no punishment, except in extreme cases of mutiny, or daring contempt for authority, be carried into effect till the morrow; and always give the accused, or guilty person, the benefit of character, and a last appeal, when his shipmates are assembled to witness his disgrace. When discipline produces good order, with the face of content and confidence, *all must be right;* the system throughout is perfect.

But, when trifling and vexatious annoyances, niggling and insignificant frippery, fiddle-faddle nonsense, and arbitrary sway produce sullen and marked dissatisfaction, then *all must be wrong.*

Be ever cautious in preserving the health and

comfort of your men, by guarding against *unnecessary* exposure to rain. Reefing and any other duty, requiring all hands, should, *if possible*, be performed at the relief of the watch. We are well aware how disproportioned the means of comforts which sailors possess are to our own, and should govern our attention to their wants accordingly. Squally weather, gales, and gusts of wind, set defiance to all prescribed rule; but there are other times when hardships may be alleviated, and these must be duly appreciated by every considerate and humane officer. Never call all hands, when the watch can perform the duty required.

Even the division of a crew into messes requires care and caution; their own wishes should be yielded to in every possible way, and not permitted to be dependent on the caprice or control of subordinate officers or the ship's steward.

Encourage singing, dancing, and every possible recreation. I have, during a calm, permitted bathing alongside, in a sail, with a boat outside, to prevent the men going beyond. So much is in the power of commanders and officers, to diffuse a spirit of cheerfulness and happiness throughout a ship; and a higher gratification cannot reward any man so placed between misery and content, who can calmly revert to days gone by, with inward satisfaction, and say, "Thank God, I have done my duty!"

We must all bear in mind, that it is essentially

necessary to possess the qualifications of a gentleman as well as a seaman, to insure the requisites for command; a nice sense of honour will convey to our own feelings what is due to those of others.*

> "Honour and shame from no condition rise;
> Do well your duty, there the honour lies."

It is due to the officers in the navy and merchant-service to repel, with scorn and indignation, a most ungenerous and a most wanton charge. An opinion has been insiduously circulated that habits of inebriety prevail amongst sea officers. My experience of twenty-eight years qualifies me to judge upon this matter, and I do declare that in the whole course of my experience I have only known two officers addicted to this ruinous and most degrading propensity, and both fell victims to it. Drunkenness is viewed with greater abhorrence in the society of gentlemen on board ship than in a corresponding class on shore—for this plain and obvious reason—on shore such a vicious habit brings its own merited disgrace and punishment, at sea the lives and property of others may be involved through the maudlin incapacity of an officer; it

* Earl Howe remarked, that half a gentleman and half a sailor made the best officer and seaman. I am almost afraid new-fangled ideas usurp the once hardy character of the thorough British officer and seaman. The grand consideration should be that, in our attempts to rub off the rust we do not rub off much sterling worth. "All is not gold that glitters."

becomes, therefore, the bounden duty and interest of the Captain himself to eradicate so glaring an evil, and equally concerns the welfare of the officers, as all are liable to labour under the stigma attached to such a vice, and to suffer by its probable consequences. Let us suppose masts carried away, lives lost, or the ship in danger through the neglect of the officer in charge of a night-watch; an inquiry ensues, it is proved he was in a state of intoxication when on duty, and addicted by habit to this vice; then most assuredly the guilt will attach to his commander, who neglected his own duty by delegating authority to one so totally unfit for so important a charge, and will recoil upon all others who in any way sanctioned such vicious propensities.

Had not this foul slander been disseminated with much virulence through the press, coupled with a plausible commentary on the conduct of officers in general, and in all probability may, through such a medium, have gained undue credence elsewhere, I should not have thought such malice worthy of notice; but have treated it with merited contempt. Equally deserving scorn and reprobation is the sweeping censure passed by the press upon officers for indulging in vulgar abuse and foul language. To every general rule there doubtless is an exception, but I most positively deny that the practice alluded to is habitual among officers. There are times, on board ship, when in the exercise of urgent

duties, swearing gives an emphatic impulse to the necessity of prompt and ready obedience, better understood by seamen in general than if conveyed in milder times; and there are very few officers, as far as my experience can warrant the belief, who do not indulge on such occasions by enforcing their orders with an oath. I am not one of the happy few, although I cannot justify the habit; but I positively deny that such gross and horrible expressions as those alluded to by newspaper reports are frequent; they are, thank God, amongst officers, most rare, and most severely to be condemned and reprehended.

Finally, experience has fully established the conviction on the minds of just and humane persons, that severity of punishment defeats its own object, and generally tends to harden and disgust not only those who endure the lash, but those who witness the execution: for instance, those who live in the neighbourhood of Newgate, and are spectators of the last moments of a felon, become callous to so disgusting a spectacle, which would not fail to operate in a salutary way on the minds of others who casually pass by, from the remote parts of England, and witness so dread an example. The standard rule for our conduct is this; first, to consider what is the effect of punishment? Is it the same in all cases? Certainly not! but different in different cases. To lay down one fixed rule for the quota of punishment, is like administering the same medicine to all constitutions,—

"There is a law in each well ordered nation,
To curb those raging appetites that are
Most disobedient and refractory."—*Shakspeare.*

"Examples of justice must be made for terror to some; examples of mercy for comfort to others."—*Bacon.*

A circumstance highly honourable to the sailor's character occurred during the late eventful war.

In 1807, the ship's company of the Uranie frigate addressed a letter to the Board of Admiralty, complaining that their captain had not done his utmost to bring the enemy's frigate to action. When this reached the knowledge of the officers of the Uranie, they, imagining a slur was cast upon themselves, applied for a Court Martial upon Captain L. The charge being in part proved, Captain L. was sentenced to be dismissed from the command of his Majesty's ship Uranie.

This shews a jealous feeling of their own honour as blended with the national character; and when the conduct of the Africaine's, and a similar act of treasonable attempt is noticed by Lord Collingwood, it is but just to bring both accounts before the public.

I must now draw to a conclusion. Truth and impartiality have been my guide; and, I trust, the labours of all embarked in the cause of discipline will persevere, by straight forward principles, and fearlessly do their duty. If neglect creates delay, then, I say, selling brooms will be a good

trade, for one will be required at the mast-head* of every merchant-ship, and must supplant the proud old Union Jack of England.

> " Take not the quarrel from his powerful arms,
> He needs no indirect nor lawless course
> To cut off those that have offended him."—*Shakspeare.*

The glowing remembrance of Nelson's immortal deeds urges me to persevere in closing my task on this anniversary of the ever-memorable battle of Trafalgar, when the sun of Nelson's renown set in such transcendent splendour, but whose fame received additional lustre by his victory and death, and, rising on the eagle wings of fame, diffused its matchless rays.

> Through every age and clime,
> Nelson's glory shall only end with time.

> " And sure, if e'er the spirits of the blest
> Still fondly cherish, in the realms of rest,
> Their human passions,—thine are still the same,
> Thy zeal for England's safety and her fame!
> Thou sacred shade! in battle hovering near,
> Shall win coy Victory from her golden sphere;
> To float aloft, where England's ensign flies,
> With angel wings and palms from Paradise."
> *Ulm and Trafalgar.*

" Nelson has left us,—not indeed his mantle of inspiration, but a name and an example, inspiring thousands of the youth of England,—a name

* The hoisting a broom at the mast-head, signifies that the vessel is for sale.

which is our pride, and an example which will continue to be our shield and our strength."

On this said 21st of October, I, a British sailor, launch forth my literary bark:—'DISCIPLINE' is her name,—her colours the banners of patriotism,— "her crew are staunch to their favourite launch," and, having escaped all land pirates, she may bid defiance to those who infest the seas!

Go forth, my little bark! frail thou art as the hand that directs thy helm, tight and trim, ballasted with ZEAL, and stored with LOYALTY: yet what dangers await thee!

To be tossed on a sea of trouble, assailed by the dashing waves of folly, and lashed by the increasing surge of clamour, and thus to be driven, by the foul winds of popular prejudice, amidst the shallow sands of perjury! Perseverance and skill shall weather all shoals and dangers; but when off the Cape of Torments, my snug little vessel is borne down by the tempest of malice and revenge! her sails are rent by the violent gusts of passion! and her quivering masts yield to the sudden blasts of envy. Thrown upon her beam-ends, and part of her BULWARKS washed away,—all is on the brink of despair! 'Mid perils thus imminent, some top hamper and lumber hastily stowed, having fetched way, is thrown overboard; some great guns are cast into the sea!—and 'DISCIPLINE' rights again! Zeal and alacrity clear the wreck; the sea of turbu-

lence subsides; the clouds of malignancy disperse; and skill and confidence resume their wonted sway! Sound and tight, and under the jury-masts of restraint and subordination she scuds before the favouring breeze of peace and plenty; and, wafted by the gentle gales of content and good order, which swell her willing canvass, she glides over the smooth surface of truth and justice into the harbour of AMOR PATRIÆ: there, moored with the anchors of security, she rides in safety; her sheet-anchor of HOPE clings to her bow—may it never be let go! and may LOYALTY and DISCIPLINE happily blend the proud Union of Old England, and enwreath the laurels of Victory with the olive-branch of Peace prays his Country's Friend, and His Majesty's true and faithful Subject.

In this season of popular incitement, when some malcontents rear the hydra head of revolt and disaffection; when vile incendiaries prowl with midnight vengeance, and thieves and vagabonds level their dastardly missiles against legitimate power, it may be as well to repeat Nelson's famous signal, displayed to animate the brave and loyal in their country's cause against her avowed enemies; but who are more dangerous than secret foes, and the instigators of wanton plunder, rapine, and insidious treason? I have moored the vessel of Discipline; the signal flying at her mast-head is

"England expects every man will do his duty!"

APPENDIX.

The following Statements were received too late to embody in the Second Chapter.

" Pass we the long unvarying course, the track
Oft trod, that never leaves a trace behind ;
Pass we the calm, the gale, the change, the tack,
And each well known caprice of wave and wind ;
Pass we the joys and sorrows sailors find,
Coop'd in their winged sea-girt citadel ;
The foul, the fair, the contrary, the kind,
As breezes rise and fall, and billows swell,
Till, on some jocund morn, lo, land ! and all is well !"—*Byron.*

Ship Sarah, Captain Tucker, bound to Bombay. 1826.
SOON after leaving Madeira, where she touched, the boatswain was found so frequently drunk, and so daring in his insolence, that he was placed aft, under restraint—broke loose and got drunk again. Captain Tucker was then compelled to place him under close arrest, and was requested by his passengers to do so : he was confined in the starboard after-cabin. As a specimen of this man's character, I quote the language he used :—" If I give a signal, there are plenty of good hands ready to join me ;" and he set captain and officers at defiance.

On the 11th of November, William Overton was confined for most insolent conduct to the second mate, and attempting to strike him.

On the 12th, a Court of Inquiry assembled, to investigate this man's conduct, composed of the captain, officers, and passengers. The prisoner had threatened, during his confinement, when he got loose he would throw the second mate overboard. W. Overton was found guilty, and sentenced to be punished, in the usual way, at the gangway. The ship's company were summoned on deck to witness the punishment,

and, after the first lash, they, with dreadful imprecations and drawn knives, made a desperate effort to cut the culprit down, but were driven back by captain, officers, and passengers, who were all armed. Captain Tucker then drew a chalk line across the deck, and threatened to shoot the first man who dared to pass it. Another rush was made by the crew: a few shots were immediately fired over their heads: they fell back, but instantly rallied. The officers and passengers then fired amongst them; one was killed and three wounded; and this exemplary act of vengeance quelled the mutiny. At 11, a body of the seamen rushed aft, into the steerage, and dragged their wounded shipmates from the surgeon's cabin; and such was the mutinous spirit then prevailing that the captain, his officers, and passengers were obliged to remain armed, and to keep alternate night and day watch, until their arrival at Rio Janeiro.

On the 15th, the passengers addressed a letter to Captain Tucker, requesting, as a necessary security for life and property, that he would bear up for the nearest port. Captain Tucker yielded to the necessity of the case, and, on the 27th, reached Rio Janeiro. Fortunately, Admiral Sir R. Otway was lying there. Captain Tucker, with great good judgement, ran the Sarah close alongside the Admiral, who, in the most liberal manner, sent a corporal and guard of marines to aid in protecting the Sarah to Bombay: he fully exonerated the commander, his passengers, and officers, from all blame, but declared the seamen must proceed the voyage, and take their trial at Bombay. On arriving at that presidency, Captain Tucker, his passengers, and officers, were arraigned for murder, and, after a long investigation, were most fully acquitted. The ship's Company were tried for mutiny, found guilty, but sentenced to a very trifling punishment,—imprisonment for a very short time.

In reviewing this most lamentable affair, I am confident every naval man will agree with me that a defined law upon naval discipline would have prevented the blood which necessarily flowed on the quarter-deck of the Sarah. Captain Tucker and his passengers were reluctantly compelled to fire

upon *mutineers,* whose *base and murderous intentions could not be mistaken;* and but for the determined resolution and bravery evinced by these gentlemen, a sanguinary conflict must have ensued, with consequences too horrible to reflect upon. The villain of a boatswain was, without doubt, the instigator of the plot. Besides the loss of life and the wounds inflicted by the summary hand of discipline, the Sarah was obliged to deviate from her voyage; and, with the detention at Rio Janeiro, of eight or ten days, the loss and expenses must have been a serious item in her voyage-accounts.

The Mutiny on board the Lady Jane Shore Transport.

The Lady Jane Shore had on board, besides convicts, eight soldiers of the New South Wales corps, amongst whom were French, German, and condemned criminals, reprieved on condition of serving during life at Botany-Bay. They arrived at Portsmouth while the mutiny on board the fleet was at its height. They formed a plan to seize the ship when she should get out to sea. Of this Captain Wilcox was informed by Major Semple. He complained to the Transport-Board of the danger of proceeding to sea with such men, while they had arms in their hands. The colonel of the regiment was sent to investigate the business; but he, perhaps hesitating to give credit to Semple, and, from the benevolence of his own heart, entertaining a better opinion of his men than it would seem they deserved, overruled Captain Wilcox's desire. In this state they went to sea. When four days' sail from Rio Janeiro, the mutineers rose, in the night, on the second mate, who was then on watch. He found resistance to so many armed men to be all in vain, and, of course, submitted, to save his own life: they entered the cabin of the chief mate, and murdered him in the most savage manner, cutting his head off. They then proceeded past Mr. Black's berth, to the round-house, where Captain Wilcox was, and demanded admission, which he refused; and, on their further persistance, fired a pistol at them through his door. They instantly broke the door in pieces, and murdered poor Wilcox, in a manner too shocking to describe. They then returned to Mr. Black's

hammock, and, without the least warning, thrust their bayonets through it in several places, not in the least doubting but he was in it. However, during the disturbance, he had quitted it, and concealed himself, which gave him an opportunity of begging his life when their rage began to abate. This they granted: put him and ten others into the long-boat, gave them a compass, and turned them adrift. They got safe to Rio Janeiro, from whence Mr. Black took his passage in a foreign ship, but at sea fell in with a South-sea whaler, Captain Wilkinson, who received him on board. After this, Captain Wilkinson took a Spanish vessel, value about £10,000. Mr. Black was appointed prize-master, and carried her to the Cape. He has since sailed with Captain Wilkinson in a whaler.—*Annual Register*, 1798.

H. C. S. Duke of Montrose, Captain Patrick Burt.

In 1797, after the mutiny in the navy, on her passage from England to Madras and Bengal, a very determined mutiny broke out on board this ship, which was owing to a previous state of lax discipline and ill-timed forbearance. Captain Burt was exceedingly averse to flogging, and several serious offences passed without due severity; at length, for the preservation of any thing like discipline, it became absolutely necessary to punish a seaman at the gangway. On the following day, the whole ship's company refused to do their duty, and would not go upon deck: they unshipped the ladders, and took possession of the gun-deck. Captain Burt sent his officers down, armed, to force the crew to obedience. Messrs. Mac Taggart, Wordsworth, and Buchannan, the first, second, and third officers, followed by others, rushed forward, and found the mutineers training one of the guns, with the intention to point it aft, against captain and officers; the poker in the galley-fire, to serve as a match; (the galley in the Montrose was below). When Mr. Mac Taggart reached the fore-hatchway, he heard one of the ringleaders declare, "Now's the time! bear a hand! and let's have a slap at them b——y b——rs!" He instantly drew his sword, and cut the fellow down. The ship's company immediately

surrendered. The prompt and determined spirit evinced by Mr. Mac Taggart and his brother-officers averted more alarming consequences; and this circumstance strongly proves that a decisive blow and a resolute show of firmness never fail to subdue open and declared mutiny.

Captain Mac Taggart, chief mate of the Duke of Montrose, and late commander of the H. C. S. Rose, gave me the substance of this information. Mr. J. Alexander, the East-India Director, was a passenger in the Montrose, Captain Wordsworth was afterwards lost in the Abergavenny. Captain Buchannan commanded the Neptune some years after, and is now in England.

Captain the Hon. Hugh Lindsay, (an East-India Director,) when an officer in the service, received a wound from a cowardly mutineer, when his presence of mind and great firmness quelled a mutiny on board the ship.

Ship, James Sibbald.

CAPTAIN FORBES was running boldly on for the Eastern Channel to Saugor (Bengal), during the night, confident of his situation by an excellent series of lunar observations; having reached to seventeen fathoms on the tail of the sands, he desired the chief mate to take in the studding-sails and shorten sail. A seaman was, somehow, hurt by the running geer, and was grumbling, as sailors will at times. The chief mate, too anxious, and not aware of the man being injured in any way, rebuked him for growling: words ensued, and then blows. Without knowing the true state of the case, Captain Forbes acted upon the complaint made to him, and ordered the seaman in confinement on the poop. The Sibbald, during this time, was fast approaching the tail of the reefs, and into danger. On witnessing the imprisonment of their shipmate, the men on duty knocked off; the whole ship's company rushed in a body on the quarter-deck, demanding his release. Captain F. said he would not yield to such terms; the man's conduct should be fairly inquired into, and he would act by him accordingly. The crew persisted;

Captain Forbes sent for his pistols; told them the ship was fast appróaching danger, and he was resolved to force them to their duty. As soon as the captain's cabin-door was opened, to bring the pistols, these refractory men dispersed, none appeared to court the infliction of summary vengeance. Captain F. very judiciously preserved his authority by this decisive check, and kept all hands upon deck during the whole night.

The following morning, upon inquiry, it was found the man was hurt; and the chief mate came forward to exonerate him, confessing he had struck the man.

One hour might have been fatal to this ship, had the crew proceeded to desperation. No navigation in the world is more intricate than the Sand Heads and the approach to the River Hooghly.

In the same ship, homeward-bound, one Sunday, divine service could not be performed, owing to the squally and unsettled state of the weather. It was always Captain Forbes's system to attend to this duty when the weather did permit on Sundays. It so happened, that an influential person, whose habits partook of enthusiasm, had enlisted under his banners the whole of the seamen. The weather continued boisterous throughout this day; and in the evening blew so fresh, as to render it necessary to reduce sail; orders were accordingly given; but lo! and behold! top-men, forecastle-men, and afterguard had all decamped, save two or three hands at the mast-head. When sent for, an answer was returned to the officer of the watch, that all hands were at prayers, and could not be disturbed; nor did one of these infatuated people start from their deep reveries, until the captain darted amongst them with a rope's end, which he laid on right and left. But for his exertion and timely influence, the top-gallant-masts would have been carried away, and, probably, the hands aloft belonging to each top would have been sacrificed to such untoward zeal.

Captain Forbes effectually stopped the career of such folly. These accounts I have just now accidentally received from

him; and the last circumstance is in no way connected with a note in the first chapter.

Captain Forbes, also, related to me an unwarrantable and most unmanly act which some of the crew were guilty of on board a free-trader, in which Colonel Sturt, of the Madras army, was a passenger. A similar act has subsequently occurred on board another ship, which fully justify the observation I made, in the body of this work, respecting the effect restraint will have upon sailors in their lawless conduct to *ladies* on board ship. Colonel S. said the offenders, in the case he mentioned, deserted immediately the ship reached Madras-roads, or they would have been made an example of.

H. C. S. Africaine, Captain Corbett.

" Ours are the tears, though few, sincerely shed,
When Ocean shrouds and sepulchres our dead."

" And the brief epitaph in Danger's day,
When those who win at length divide the prey,
And cry, Remembrance saddening o'er each brow,
How had the brave who fell exulted *now.*"—*Byron.*

I cannot close my labours without attempting to shield the memory of a brave and distinguished naval officer from that malicious reproach which has insiduously been heaped upon his character.* The gallant Captain Corbett, of His Majesty's ship, Africaine, lost his life in his country's cause, in a desperate conflict with an enemy of very superior force. Zeal and undaunted courage impelled this brave man to rush between two ships, each of equal force with his own, apprehending, their proximity to their own port would otherwise secure their retreat, ere his colleague, Commodore Rowley, could reach within gunshot. The Times newspaper, quoting some *partial narrative of this and other naval events*, declares,

* This and other vexatious allusions to high and distinguished officers in the navy have been elicited through the effervescence on the public mind, produced by the several exaggerated accounts of mutiny, assault, &c. on board the Company's ships; I therefore feel, that this explanatory document is due to the public also.

that in consequence of Captain Corbett's tyranny, the crew of the Africaine cheered when their captain fell! Monstrous idea! which has only *hearsay* evidence for its support. Supposing a shadow of truth, in vindication of such slander, the circumstance should be hinted at with the utmost caution, and pointed at as one deserving the greatest indignation; a stain upon the character of seamen, as having, by revenge and treason, tarnished the lustre of their character. So base, so cowardly an action, is deserving the severest censure which loyalty can denounce, should be held as an example to all British subjects, that however trying their situation may be, there is but one course to pursue,—*loyalty;* that time will disclose mutiny and treason, and hurl the retributive hand of justice upon the authors of such infamy.

I have heard, the crew of the Africaine either threw away their fire, or did not always shot their guns; be this or the other charge true, no alleged grievance can palliate such foul and such outrageous conduct. If true, let us hope, for the cause of honour and humanity, such scourges, as the crews of the Hermione,* Danæ,† Bounty, and Africaine, are exterminated.

> "Their names, their coward names, to every eye,
> The climax of all scorn, should hang on high;
> Exalted over less abhorr'd compeers,
> To fester in the infamy of years."

Let us now imagine the ardour with which the brave

* Many officers in the navy are of opinion, that the primary cause of mutiny on board the Hermione was a lax state of discipline. The crisis was brought on by drunkenness; and the ship's company having committed some horrible excesses, they could not stay their insatiable revenge. Sir Edward Hamilton restored this devoted ship to the British navy, by one of those daring and intrepid actions which so brilliantly adorn the page of naval history: he boarded, and cut out the Hermione, from under a Spanish battery; and consoled the wounded pride of his brother officers, for the stain upon the honour of the service. She re-entered the navy, named the Retribution.

† Lord Proby disdained to strike to traitors. When interrogated by the French officers who boarded the Danæ, his lordship declared he surrendered to them, not to mutineers!

Corbett carried his ship between the enemy, broadside to broadside; could his experience harbour one thought of dastardly revenge usurping the impulse of loyalty and courage! His heroic services implanted the noble and generous estimate of genuine British valour; if, in his dying moments, he heard the cheers of his crew, they conveyed similar ideas to those patriotic huzzas which soothed the hero of Trafalgar, when he exclaimed in the cock-pit of the Victory, "Thank God for this great opportunity of doing my duty!"

If Captain Corbett had in any way exercised severity in the support he gave to the discipline of his ship, let it be remembered, all reports relevant to the subject are without confirmation. We possess no certain means of judging impartially; but this we do know, that Captain Corbett had performed meritorious services in the defence of his country's glorious cause, and nobly sacrificed his life in upholding the honour of the British flag. Peace to his memory! Shame to those who ungenerously dare to disturb his fame!

It is said, that when His Majesty's ship Africaine was ordered to weigh from Table Bay, the crew refused to man the capstern-bars. Captain Corbett assembled his officers; declared to the ship's company, that if within five minutes they did not obey his orders, he would charge them at the head of his officers and marines. Obedience instantly followed this resolute appeal.

On this vital subject the blood of every sailor must curdle at the bare idea of mutiny and murder being held up as an example of the success which *for a time followed the perpetration of such horrid crimes;* and being cited as a dread barrier to harsh or tyrannical measures! Thank God, there is good feeling enough abroad to reprobate, with becoming scorn, the very surmise of such feelings.

For the information of my readers, I must trespass further on their patience, and acquaint them, that Commodore Rowley, in His Majesty's ship Boadicea, discovered, at dawn of day, the Africaine, disabled, and soon after a prize to the French frigates. He gallantly pressed on; the enemy abandoned their prize, and fled. On a future day it was re-

served, as a reward to the skill and perseverance of this distinguished officer, to fall in with and recapture the Ceylon frigate, and the Venus, French frigate, of 44 guns, the successful opponent of the Ceylon; and by a fortunate display of prudence and foresight, Commodore Rowley retrieved the fallen fortunes of the British flag, which, by a series of untoward events, had materially declined in the Indian Seas.

"In the field of proud honour, our swords in our hands,
Our king and our country to save;
While victory shines on life's last ebbing sands,
Oh, who would not die with the brave!"—*Burns.*

H. M. S. Culloden, Captain T. Troubridge.

In December, 1793, His Majesty's ship Culloden, Captain T. Troubridge, at Spithead, a most daring mutiny broke out; the greater part of her crew unshipped the ladders; barricadoed themselves with hammocks across the deck; pointed two of the bow guns aft, loaded with grape and cannister shot; and had seized some muskets and tomahawks. On turning the hands out to muster on the day after this revolt, the well-disposed consisted, besides the warrant-officers, petty officers, all the marines, save six, and eighty-six of the ship's company, leaving about 250 seamen in an open state of mutiny. Admirals Lord Bridport, Cornwallis, and Colpoys, went on board and vainly endeavoured to persuade the men to return to their duty. Matters continued in this alarming state from the 3d until the 11th, when Captain the Honourable Thomas Pakenham went on board and prevailed on the seamen to return to their duty; the hands were then turned out, ten of the ringleaders were seized and sent on board different ships to take their trial, eight were sentenced to death, three reprieved, and five were hung on board the Culloden. It appears to me there was a want of decision and firmness in this instance, with so large a proportion of loyal officers and men: a charge upon the mutineers at *the very outset* would, in my opinion, have been preferable to such a protracted state of rebellion,

and, probably, without the loss of one life, save the example of a ringleader at the fore-yard-arm.

Ship Dover Castle, Captain Peter Sampson, Linton-Roads.

June, 1802, A. M. confined in irons, E. F. quarter-master, on suspicion of his having taken liquor out of the after-hold; on further inquiry found that R. B., midshipman, had taken the keys out of the third officer's cabin, when on his watch on deck, and that the said R. B. and W. S. were encouraged by E. F. who were in the fore-hold starting water; had got aft and broached a cask of rum belonging to the troops; at one, a. m. detected Mr. B. handing up a kettle of rum out of the after-hold: he confessed he took the keys out of the officer's cabin. Held a Court of Inquiry on R. B. and W. S., midshipmen, found them guilty, punished them in the round-house (captain's cabin), and, also, upon E. F., found him guilty of the crime alleged against him: it was the unanimous opinion of the Court he should be punished in the most exemplary manner—punished him accordingly.

As several Company's ships have been burnt, through carelessness, by clandestinely pumping off spirits; the above case is worthy of notice.

Mr. H. A. Reid, second mate of the Honourable Company's ship King George, Captain Colnett was placed under an arrest, but had permission to go on shore at the Cape of Good Hope, and there assaulted his commander, who reported the circumstance to the admiral;—a Court Martial was held on board His Majesty's ship Stately, sixty-four guns, in Table-Bay, on the 16th of January, 1798, and but for the permission given to Mr. Reid to go on shore, which gave the Court the power of mitigation, they declared that they must have sentenced him to death; they, therefore, commuted his sentence to two years imprisonment in the Marshalsea Prison. Mr. Reid was sent home as a prisoner on board the King George, and delivered, at Gravesend, to the Deputy Marshal of that prison, in July, 1798. The King George carried a letter of marque. This may serve as an example of the serious conse-

quences which may follow any daring attempt, by officers or men, to set defiance to restraint or subordination on shore, while serving under command.

H. C. S. Grenville.

Whampoa, June 13, 1816.

Honourable Company's ship Grenville and an American were the only ships lying at Whampoa. Captain R. Alsager, then chief mate of the Grenville, was applied to,--by an American, from the ship Lion,—stating his ship was in a state of mutiny, that they had taken the ship from him, that he had broke from his confinement, had jumped out of the stern window into a Chinese boat. Mr. Alsager, in the most prompt manner, obeyed the call, with the Grenville's cutter, well manned and armed, boarded the Lion, routed the mutineers, and took the ringleaders, ten men, out of the ship; and, at Captain Champlin's request, landed them on an island near Whampoa.

The American supercargo acknowledged Mr. Alsager's service, in a letter of thanks, accompanied with the following certificate :—

" We, the undersigned, citizens of the United States of America, do hereby certify to all whom it may concern, that, on the 12th day of June, 1816, we took passage on board the ship Lion,* Captain Adam Champlin, of New York, from Macoa for Whampoa, when the said ship arrived and anchored, about two o'clock p. m. on the next day; and that, at about four o'clock of the same day, while we were on board, a most serious mutiny took place, part of the crew of said ship refusing to do their duty, and when the said captain and other officers of said ship attempted to enforce obedience, they were attacked with handspikes and other weapons, in a most daring and outrageous manner, and driven from the deck into the cabin, after having received several wounds; thus the ship was in possession of said mutineers. The un-

* The Lion was between 400 and 500 tons, with about thirty-two men.

dersigned, during the affray, escaped from said ship on board some Chinese boats; and, being requested by said Captain Champlin, we went on board the Honourable East-India Company's ship Grenville, and asked for assistance to regain possession of said ship Lion; that, accordingly, Mr. R. Alsager, chief officer of said Company's ship, with two boats' crews, and one other officer, returned with us on board the said ship Lion, finding her officers still confined to the cabins, the mutineers in possession of the decks. That said Mr. Alsager, by request of said Captain Champlin, and for security of said ship Lion, took out ten of the seamen concerned in the mutiny and set them ashore at French Island (so called), which measure was, in our opinion, necessary and justifiable in the said Captain Champlin, by whose request and particular desire every act of said Mr. Alsager was authorised and executed in the most prompt and friendly manner. In witness whereof we now address this testimony to the said Mr. Alsager, at the City of Canton, this 23d day of June, 1816.

"GEORGE W. STURGIS,
"PHILIP AMMEDON."

Extracts from Minutes of Evidence, before the House of Commons, March, 1830.

1817. Honourable Company's ship Grenville, Captain Alsager, under a crowd of sail, and going at the rate of nine knots per hour; a soldier of the 21st light dragoons fell over board from the weather-bow, in the morning watch; the boat was down, ship hove too, the man saved, and the ship under all sail again in twenty minutes; people were washing clothes and scrubbing hammocks at the time the accident happened.

H. C. S. Royal George.

July, 1823. Hauling in for Malacca-Roads, bound to China, in the Royal George, I observed a Dutch 50-gun ship, bearing the flag of a rear-admiral; saluted him with fifteen guns, which he returned. Homeward bound, we got on shore in the Straits of Bauca, on the mud-bank projecting

from Sumatra. The following day, the Netherland Admiral hove in sight, anchored to windward of us, sent his lieutenant on board, and asked what assistance we required, and if it was the same ship that saluted him in the Malacca-Roads. I immediately waited on the Admiral Baron Melville von Carnbee, who, in the most handsome manner, sent a lieutenant, his launch, and about thirty men to our assistance;—the lieutenant had served in our navy. The third morning, when our grand effort was to be made to heave-off, the Admiral sent word, if we failed, he would anchor in such a position as his captain and I thought advisable, and receive the end of our cable, to renew the attempt; however, our own anchor held, and, by ten, a.m. the Royal George was afloat. The liberallity of the Admiral did not then forsake us; I had the use of his launch until sunset, re-shipping our cargo, guns, stores, &c. and, at daylight, on the fourth day, the best thanks of all on board the Royal George were returned to our friend in need, by a salute of fifteen guns, which was returned with the usual number.

I represented the noble conduct of the Netherland Admiral to the Court of Directors, placing it in its true character and consequences. Had the Honourable Company's ship been in absolute distress, then the value of such assistance would have been beyond any adequate reward. The Court, with their usual liberality, voted Rear-Admiral Baron Melville von Carnbee their thanks and a sword, value 500 guineas. This was a gratifying act on all sides, and should be publicly known.

Ship Ogle-Castle.

1825. The crew of this ship were in such a complete state of insubordination and disaffection, that, on the ship's arrival at Bombay, they were delivered over to the civil power, and were in consequence taken out of the ship and thrown into jail, where they were closely confined, until the Ogle-Castle was ready for sea; coolies, or native labourers stowed the ship's cargo, and did the duty which these refractory seamen

had bound themselves to perform. How this ship's company conducted themselves homeward bound, their melancholy fate deprives us from knowing. The Oglé-Castle and, I believe, all hands perished, in a heavy gale of wind, on the Goodwin Sands, on the 3d of November, 1825. Several Deal boats, with the usual zeal and noble conduct displayed by these resolute and hardy men, approached the wreck, but the gale increased, and, the high sea breaking over her, they could not succeed in their praiseworthy efforts.

H. C. S. Lowther-Castle, Captain Bathie.

On her outward voyage to China, 1829, the hands were turned out to reef top-sails; the men on the main-top-sail yard were hailed and encouraged, in the usual way, by the chief-mate, from the quarter-deck, "be smart by lads, hurrah there," &c. &c.; a seaman (Robert Phillips) replied, "you spill the sail first," upon the chief-mate hailing a second time, the same man said, "spill the sail first, you b——y b——r." The captain standing on the poop, fancied he heard this extraordinary reply; but, scarcely believing it to be possible, took no notice; but, upon the main-top-sail-yard being hailed the third time, Phillips was distinctly heard to use this abominable expression, and was in consequence ordered down from the yard, and aft on the quarter-deck. When the top-sails were reefed, the chief-mate was desired to send the boatswain aft to punish the man on the instant, in presence of the main-top-sail-yard men: a midshipman standing on the quarter-deck, observed Phillips take out his knife, open it, and put it up the sleeve of his shirt; he informed the chief-mate of this, and, on the boatswain coming aft, Phillips declared that, if the boatswain dare lay hands upon him, he would stick his knife into his guts. The chief-mate then seized Phillips by the arm, to take the knife from him, but he contrived to shift it into his other hand, and gave the chief-mate a severe cut on his fore-finger, which has since deprived him of the use of it; he also cut the boatswain's hands very much; and, on getting away from the chief-mate, he ran to the wheel, and attempted to cut the tiller-

ropes.* The hands before this were turned out for punishment, when a large party of the ship's company came upon the quarter-deck, and said they had come to a determination, among themselves, not to allow punishment; but, that if any man had done wrong, they would take him below and punish him among themselves; thus admitting the necessity of punishment, and that they did not object to it, but denying their commander the right and authority to inflict it. They were told by the captain, that however wrong any man might behave, even among themselves, it was their duty to represent such conduct on the quarter-deck, and not presume to take the law into their own hands, without his sanction; and it was equally his duty to protect the smallest boy on board from any violence which such unwarrantable acts might lead to; that under no circumstances would he listen to such a proposition: but, especially in the present case, it was monstrous and absurd to suppose he would; and he was only surprised that British seamen (Phillips was a foreigner) could dare to resist the lawful authority of the ship, and especially to take the part of a man who had drawn his knife, and had even cut and wounded two officers. The captain declared his firm resolution to have his orders obeyed, and proceeded forthwith to the punishment of Phillips, when, after a desperate struggle, and the utmost resistance on the part of the crew, this man was tied up and flogged by the boatswain's mate, who, himself, had taken an active part in the riot, the boatswain being disabled, by the cuts on his hand, from inflicting the punishment. Three of the ringleaders were placed in irons, to be dealt with as should be deemed most fit, after due deliberation. On the arrival of H. C. S. Lowther-Castle, at Singapore, Phillips was delivered

* Cutting the tiller-rope is a most serious offence, and, as all my naval readers well know, may be attended with loss of masts, life, and even ship and crew. As it was necessary to reef top-sails on board the Lowther-Castle, we may infer that spars, and, in all probability, some lives would have been lost, had that miscreant scoundrel Phillips succeeded in his base attempt.

over to the civil authorities; the ringleaders broke from confinement, swam on shore, and escaped.

Captain Bathie kindly furnished me with the above statement, when this work was in the press. I have already noticed his reluctance to afford me information respecting the transactions of his voyage· his motives do him infinite credit;* but the late trials at the Admiralty Court, and the decision of the Grant Jury ejecting several most wanton cases laid before them, removes the difficulty, and I have now the gratification of vindicating the character of this most excellent officer, from the malicious insinuations which have incautiously teemed through the press, relative to a slight punishment given to a man whose malady was then unknown to Captain Bathie. The effect of the flogging had no more to do with his disease, than I have to do with the Pope of Rome. A gentleman called upon Capt. Bathie, who had known the person from a lad, declared he had long been subject to periodical attacks of insanity, and voluntarily tendered his services to appear on the trial, should it come on, but the Grand Jury have thrown out the bill.

The admirable conduct pursued by Captain Bathie, during the daring and outrageous struggle his ship's company made to gain the upper hand on the quarter-deck of the Lowther-Castle, is another and a very strong proof, that promptitude and energy always have and ever will quell disaffection and mutiny.

H.C.S. Minerva, Captain Kennard Smith.

A man was seized up for punishment at the gangway, a rush was made, and a forcible attempt by the ship's company to cut the man down and rescue him. Captain Smith drew his sword, cut the ringleader down, and severely wounded him, and by this prompt display of firmness more serious consequences were averted. The punishment was carried into effect, and good order resumed.

* Vide Chapter II.

By a reference to the most aggravated cases of mutiny, in a former chapter, those who are in any way acquainted with martial-law will feel satisfied, that most desperate characters on board merchant-ships have escaped with flogging, when in the army or navy they would inevitably have suffered death.

I have noticed, in the second Chapter, my belief that some of the crew of the Honourable Company's ship Bombay cut the laniards of her lower-rigging, and am now enabled to confirm that report by a letter from Captain Archibald Hamilton, who observes,—" Outward bound to China, in 1817, several of the after laniards of the main-rigging were found cut, one morning at daylight. I endeavoured, by all possible means, to discover the actor of this shameful deed, by investigation, and by offering a handsome reward. But, beyond the uneasiness this act created in my mind at the time, I felt no want of confidence in my ship's company, believing then, as I do now, it was the work of a malicious and revengeful individual. No indication of disaffection or insubordination prevailed among my crew the whole of that voyage, although there were, amongst my ship's company, the usual number of blackguards, who required to be kept down by the strong and steady hand of discipline; rendering it essentially necessary, at times, to have recourse to corporal punishment, after due and cool deliberation, and the impartial investigation before a Court of Inquiry. The mode of punishment by starting has always been repugnant to my feelings. I made no secret of the order against it to my officers and crew, telling the latter that I protected them against all irregular punishment, which, I hoped, would increase their ready obedience to their officers, whom I should always, and at all risks, support in the execution of their duty, and, if needful, by punishment at the gangway. As an old sailor, I would advise that system which shall steadily and firmly hold the reins of discipline; bearing in mind that, in pursuit of fortune ourselves, it behoves us to recollect that Jack must spend his life at sea,—the ocean is his home!

" A just but kind and temperate sway is indispensably requi-

site for the maintenance of good and efficient discipline; and, more particularly, for the support and encouragement of willing good men against skulking lazy scoundrels; and no Indiaman, manned upon the present system, can avoid having some few of the latter class."

The sentiments of so zealous and experienced an officer as Captain Hamilton, who, at all times, displayed that honourable pride for the profession, to which, as an officer and a gentleman, he was a most distinguished ornament, will, I feel confident, be duly appreciated throughout the service. Captain Hamilton was second officer of the Bombay-Castle when the Medée struck to the Exeter and that ship, and was sent as prize-master of the French frigate; he subsequently commanded the Bombay-Castle, and was present at the repulse of Linois, where his zeal and ability were equally conspicuous, pressing with eager and anxious hope to share the honour of the battle, and to lead in pursuit of a vanquished foe.

The following editorial remarks from two most influential papers, and the several letters which those observations elicited, must speak for themselves; they tended to rouse my feelings, and it is generally known how strong and how powerful a bias was excited in the public mind, by such formidable appeals to humanity and justice.

" We publish a letter from a naval officer, who signs himself ' C. N. N.,' on a subject of great national importance—viz. the alleged want of a legalized code of regulations for the discipline of British seamen engaged in the merchant-service of their country. Some of the police reports have exhibited, within these few days, a picture of the relations too often, as we are told, subsisting between the officers of East-India Company's ships and their seamen, which it was impossible to look at, without disgust at the system, or without serious alarm for its consequences to the public welfare.

" It appears that on board these valuable merchant-ships, and in a service of such towering pretensions as that of the *Honourable* Company, a habit of foul language has been indulged in by the officers towards the sailors, wholly incompatible with that grave self-respect which ought to characterize the demeanour of persons having authority over others, and inevitably tending to produce on the minds of their inferiors a bitterness or a prostration of spirit alike unfavourable to the discharge of a seaman's duties.

" The *Inglis*, as may be recollected from the evidence offered before the magistrate, was, on her voyage home, a scene of the most deplorable insubordination, and, as usually —we do not say invariably—happens, the violence of the exasperated seamen may be traced to that which they had long experienced from the captain of the vessel, and his mates. It is not a fit practice—it is not a practice which would be tolerated on board a British man-of-war, or, indeed, on board a merchantman of any nation *but* the English, to abuse men employed in laborious offices as if they were creatures devoid of feeling; and, when they show a natural and human sense of the wanton indignities with which they are outraged, to tie them up and flog them like wild beasts. Why, if English seamen had even the benefit of the act of that generous-minded statesman *(once himself a sailor)* the late Lord Erskine, the act against " cruelty to animals," no skipper durst use them with a degree of harshness like that represented by the witnesses on behalf of the crew to have formed their ordinary treatment to the hands of the Captain of the *Inglis*, and one or more of his officers.

" On the other side of the question, we are not insensible to the difficulties imposed upon the Captain of a Company's ship, so far as regards the seamen. With all their reputed wealth, and real power, the India Company are the shabbiest set of shipowners whose vessels traverse the ocean. Their ships are the worst manned, their size considered, and the casualties to which in long voyages and insalubrious climates

they are exposed,—the worst that clear out from the ports of the United Kingdom.

" It is not that the numbers of their crews are scanty; but that from the poor wages they offer,— the small precautions taken by them as to inquiry into character,—the absence of all provision for their sailors and petty officers, after age or accident shall have compelled them to retire, and the consequent bad quality of many of their seamen, as compared with those who are admitted into HIS MAJESTY's service,—the crew of an Indiaman is often such as to alarm the officers for the safety of the ship, and for the lives of all on board her.

" It is not, therefore, as against the officers only that we should desire to see a set of regulations, with respect to discipline, established and enforced by legal sanctions. At present, there is none but what proceeds from the assumed necessity of each case as it arises; when the captain, thwarted or insulted by his men, has recourse to violence for want of legitimate power. Teach the seaman his duties by legislative authority, and the officer will soon learn to respect his rights, because his own rights will be placed beyond the pale of controversy. The situation of a ship, and of those by whom she is navigated, is so peculiar, and the effects of crime so prompt and dangerous, as to justify the application of more direct and specific remedies against wrong doing than such as may be extracted from the ordinary provisions of the common law. We can imagine no reason why a code of instructions, similar *(mutatis mutandis)* to those observed on board a KING's ship, should not be applied to the mercantile marine of England, and officers and men made answerable for their complete execution.

" Humanity and the love of justice will assuredly be spared, by such a charitable innovation, the pain of many a police recital like those to which we have adverted above."

" It was hardly to be expected that a subject at once so

near to the feelings, and so important to the national interests of Englishmen, as that of the treatment of British sailors by officers in the merchant-service, would have been suffered to pass away from public recollection after it had once been seriously noticed by the press. We have accordingly received numerous communications with regard to some disgusting occurrences on board the *Inglis* East Indiaman, lately adverted to by this journal, in connexion with proceedings mentioned in our police reports. We have little more to add to our former observations on those distressing topics, than to direct attention to the letters of 'W. B.' and of 'V.' and to a statement (of course, *ex-parte*, but still very painful) printed by, or for, the late crew of the *Inglis*, the ship alluded to, professing to be a detail of the treatment received by them during their homeward voyage, under Captain Dudman. For our parts, we are perfectly astonished at the frame of mind under which men in authority can bring themselves to act towards fellow-creatures constantly in their presence, on a system so heartless and so brutalizing. That it is resorted to in East-India ships *more* than in King's ships is not surprising, because not merely are the officers generally better educated in His Majesty's service, but because, by the strictness and power of the discipline, a naval officer feels himself so well supported, that he need not be jealous of his own prerogatives, at least as between himself and the seamen. But that more intemperance and harshness should be used, as we have heard from many quarters, is unquestionable, by Company's officers on board East-India merchantmen, than by any other class of masters, commanding merchantmen, in any other branch of commerce, is not to us so easily intelligible as the former fact. At all events, and, indeed, the subject will not bear a moment's discussion, there must be a system of discipline by law established, for the mercantile marine of England, as well as for the military, or the ship-owners of this country will find that other causes besides superior cheapness of navigation have a tendency to drive the carrying trade of England into the hand of strangers."---*Times.*

"*To the Editor of the Times.*

"Sir,—Having observed in your Police report of the 10th instant, that seven seamen belonging to the *Inglis* East-Indiaman were removed from the *Charles Grant*, and taken to the Thames Police-office, under a charge of mutiny on board the *Inglis*, on the 6th day of June last, had been in irons seventy-two days, and when put to the bar no person came forward to prosecute them, in consequence of which they were discharged, I am induced to notice this circumstance in a public manner, to ask from what cause such a circumstance could have occurred, but from the want of a code of maritime-laws for British seamen in the merchant-service, by which both officers and seamen would be instructed what situation they were placed in towards each other, to the mutual benefit of themselves and their employers, as well as to the general welfare of the country in its navigation and commerce.

"The necessity for such a code of laws, from the peculiar nature of sea-service, and more particularly from circumstances which arose during the late war, has been apparent. Under the utmost liberty which can be given to the subject of any State whatever, a code of rules and regulations is required, different from that of any other class of men, and which can only be suggested by men of practical experience in the profession.

"If I am asked from what cause this want and neglect have arisen, I should reply, without hesitation, that it has been from the inadequacy of the charter under which the corporation of the Trinity house now holds its existence to effect the objects for which it was originally founded, viz.—that of promoting the welfare of British shipping and British seamen; and also to the neglect of that corporation, in fulfilling the duties they owe to their country and to its seamen.

"The circumstances to which I have now alluded imperiously demand the immediate attention of the Government; and the Legislature, to the formation of a code of maritime law suited to the rights of British subjects, but adapted also to the character of the sea-service of this country. From this

alone can British seamen and officers obtain a knowledge of those duties required of them towards each other. If this is not done, I can see no other result than the subversion of all good order and discipline in our merchant-service. How far it will act in a similar manner upon the naval service at this time, I shall leave to the opinion of others. I am, Sir, your most obedient,

" *Lloyd's, Sept.* 13. " T. U."

" *To the Editor of the Times.*

" Sir,—Having seen in your journal of this day a letter signed 'T. U.' in which I recognize the style of a gentleman well known in the maritime profession, and who for many years has been the steady advocate of the rights of seamen and the mercantile navy in general, I am happy to see he has touched upon a subject hitherto nearly disregarded —namely, the entire absence of discipline in the merchant-service—a defect which is gradually debasing the British seaman, and is the source of continual quarrels, heart-burnings, and ill-will, between him and those placed in authority over him; of insolence, drunkenness, and negligence on one part, and of intemperate endeavours to preserve their authority on the other.

" It would occupy too much of your space to prove (what I am well able to do) that the laws now in force for the government of the mercantile navy are a dead letter; nor can I follow your correspondent in the question of the alleged supineness of the Corporation of the Trinity-house in these matters; but, from an intimate acquaintance with the subject I have taken in hand, I can safely affirm, that if the humble voices of the ship-owners and their servants are too weak to reach the ears of Government, its attention will, ere long, be aroused most fearfully, and complaints will reach it written in characters of blood.

" Let it, for a moment, consider the situation of a man no-

minally commanding (but destitute of legal power) a crew of men reckless of consequences, and aware of impunity—a man who, in his solitary condition on the wide ocean, has no appeal but to brute force—in charge of the property of others, often to a large amount. Let it suppose him braved to his face, and the weapons of death within his reach! I say no more.

" I do not mean to advance that sailors are more evil-disposed than other men; it is well known that the vulgar of every class are prone to insult their superiors whenever the strong arm of power is relaxed, and the prospect of punishment is distant. Yet I am no advocate for summary punishment, or for the power of corporal chastisement being placed in the hands of an individual; but, from the personal observation of thirty-seven years, I am convinced that it alone can ever check the wild career of that mature child, a British sailor. I am also convinced, that whenever it shall become known that the civil authorities are vested with such power, a very material change will be effected in their conduct.

" The chance of imprisonment and fine is laughed at by men who have been used to confinement from their cradles, and whose contempt of money and ignorance of its value is proverbial.

" During the war, the fear of being turned over to a King's ship held them in a tolerable state of discipline; but, since that restraint has been removed, they have progressed from bad to worse, until the property of their employers is unsafe, the comfort of their commanders destroyed, and their own lives and health placed in jeopardy: painful and humiliating is it to witness the contrast between them and the orderly seamen of other nations.

" But the mischief does not end here: the source of our national strength is poisoned. Is it possible that men, brought up in uncontrolled dissipation, can be brought at once to comply with the orderly habits of a vessel of war, but by the most powerful coercion? Most clearly no; and it is through the exercise of this tremendous, though necessary, power,

that the youthful sailor conceives a disgust to the King's service; whereas, had he been trained to obedient habits by a mild and acknowledged discipline, clearly defined, the change from one service to the other would only be perceptible in the diminished quantum of labour, and the more regular attention to his comforts.

" But I am unwilling to trespass further on your space and patience, and shall rest, for the present, in the hope that, through your widely-circulated journal, these remarks may meet the eye of some one possessing the power and inclination to apply a remedy against an evil which, however feebly portrayed, strikes at the very root of our country's prosperity and safety.

" I remain, Sir, your obedient Servant,

" *Greenwich, Sept.* 15. " C. N. N."

" *To the Editor of the Times.*

" Sir,—The late unfortunate disturbances which have taken place on board the Honourable East-India Company's ships, however trifling they may appear in the eyes of persons unacquainted with nautical affairs, must strike the mind of every experienced seaman as of the greatest importance to this country, with reference to its commercial relations. It will, therefore, be well to consider what has occasioned those distressing scenes, and afterwards endeavour to discover some means of preventing their repetition. During the late war, when our navy was increased to more than a thousand pendants, it was found necessary, in consequence of the difficulty of obtaining regular seamen to serve in our men-of-war, when the severe discipline and long confinement were regarded by them with dread, to complete the necessary number by sweeping all the gaols in the kingdom of their inmates. These men, at the end of the war, not finding sufficient employment at home, straggled all over the globe. Some thousand of

them were dispersed over North and South America, serving under flags of different nations, and many have, no doubt, been concerned in the piracies in the West Indies, and in carrying on the slave-trade. It is in the company of such fellows that the young and inexperienced British sailor is corrupted, and our merchant-ships made to bear so bad a comparison, in point of discipline and orderly conduct, with those of other nations. I beg leave, therefore, to offer the following remarks, suggested by actual experience, with the view of ameliorating the condition of our seamen, rendering them a more orderly and respectable class of men, and thereby, in a great measure, putting a stop to those disgraceful occurrences which so often take place on board our merchant-vessels. In the first place, I would propose, as a most important regulation, that offices should be established in all sea-ports, where every seafaring person should be registered, out and home, with his qualifications and character noted by certificate from his last ship; and that at this office every man should be shipped, and on his return discharged, and his wages paid him. The overseers of the office ought to see that the men took proper bedding and clothing with them, and the men should understand that their duty commenced from the time of embarking. The next consideration would be for the Government to establish regulations, pointing out to the officers, in distinct and seaman-like style, the necessity of treating their men in a humane and considerate manner, and of avoiding all bullying and abusive language. The men ought also to be impressed with the obligation to conduct themselves in an orderly and respectful way, and should be rewarded by preferment for good behaviour. It is also of the greatest consequence to the comfort and content of the men, that they should have a fixed allowance of wholesome provisions, and a stated time for their meals. I cannot close this letter without directing attention to a very serious hardship upon ship-owners and merchantmen: I mean the facility given to seamen to quit their ships by entering His Majesty's service, when the master is obliged

to give up their clothes and pay them their wages. This is most unjust, for if a man does not fulfil his contract, why should he receive remuneration? It would be much better if Captains of ships of war and Consuls in foreign countries were to give the masters of vessels support in the proper execution of their duty, or admonish them when wrong. In the present day, and with the existing practice, sailors are the most miserable, degraded, and forlorn set of beings on the face of the globe. Having no one to care for or guide them, they are completely at the mercy of a set of plunderers while on shore, and are constantly exposed to have their minds imbued with bad feelings towards those who are destined to command them when at sea.

"I am, Sir, your obedient servant,

"W. B.

"*Sept.* 17."

"*To the Editor of the Times.*

"Sir,—You have this day brought under discussion a subject of the deepest interest to this nation, viz.—the regulation of our seamen in the merchant-service; and it is greatly to be hoped that it will now gain that serious consideration and attention which it so imperiously craves, and that this important question will no longer be shirked, from the difficulty of reconciling the conflicting interests connected with it. In this great commercial nation, it would be a waste of words to describe the abuses of commanders of vessels, or the irregularities of seamen; for to all men who have been at sea, and few British subjects have not, they must be more or less known. Suffice it, therefore, to say, that upwards of 150,000 British sailors are constantly employed on foreign voyages, and on whose conduct is dependent the lives of numberless passengers, and the immeasurable wealth of this great commercial country, yet there exists no law to define the extent of obedience that is due by the sailor to his superiors, or the

protection he ought to receive against the abuse of authority, —the ill-usage, petty tyranny, misguided reasonings, or the indulgence of the caprice or ungovernable passions of his officers, all exercised, it is to be regretted, but too often at sea. But, though the haughty conduct of some of the commanders of the East Indiamen may have only hitherto been known to those who have come in contact with them, and witnessed the supercilious pomposity with which they rule on board their ships, and direct, with unthinking cruelty, the exercise of a harsh discipline to their inferiors, and a caprice which is often intolerable to their passengers, it is now on record before a court of justice, and known to all the nation, that a British sailor has received six dozen of lashes from one of these petty despots,—a flogging more severe than is practised or permitted in the navy, where the officers are made responsible to the nation, by a court-martial, for the due exercise of the authority confided to them.

"The letter of your sensible correspondent 'C. N. N.' deserves every respect and attention. He nevertheless advances an opinion that seamen can alone be controlled by flogging; and this I conceive to be a very doubtful maxim, and the power and guarantees for exercising it in the merchant-service requires at least the most serious considerations;—the inference also that he draws from the supposition that sailors can alone be guided through fear of correction or punishment, which, he says, is proved by the fact which he asserts, that 'sailors have been getting from bad to worse' ever since 1815, when they were released from the terror of being sent on board a man-of-war. Now, the fact is the very reverse of what he states; for it will be readily acknowledged, by all commanders and owners of ships, that the crews of vessels were never, at any former period of time, so quiet and well-behaved as they are at present. In short, it is undeniable that seamen have improved in conduct in proportion to the improved system adopted towards them; and ever since *starting* was abolished, flogging diminished, and unbecoming language banished from the quarter-deck of men-of-war, it

has been allowed that the necessity for recourse to such conduct has ceased to exist.

"The old brutalizing system of discipline is now universally reprobated in the navy; but who is the liberal-minded man that would say that amelioration should stop where it has arrived at;—that civilization should not make progress, and that, instead of the 'mature child' of your correspondent, the sailor should not, by a more rational treatment and education, become a man of more mature reasoning and action than your correspondent thinks him at present capable of?

"So various are the opinions respecting the discipline and regulations that ought to be the guide of our ships and sailors at sea, that to suggest any would be to bring down interminable discussions regarding them. The necessity, however, is acknowledged by all of a defined law on the subject, which at present does not exist; and the cause has not been from a want of attention to, or discussion of the subject, but that the pretensions of the ship-owners, who have so often brought it forward, were very justly, I believe, by Government, considered incompatible with the principles of British jurisprudence. This question, however, might be easily and satisfactorily settled, if the Board of Trade would resolve to bring about so essential an object for the well-being of our foreign commerce, by appointing a committee of practical men, representing the different interests connected with the question, to discuss the matter and present the result of their labours for the consideration of His Majesty's Ministers and Parliament; and, without such a preliminary step, I should doubt that a satisfactory law could ever be framed or passed on the subject. In that case, perhaps, an efficient law might soon be proposed to Parliament that would meet or conciliate the wishes of all parties on the subject, the benefits of which would be universally felt, and would not fail to add to the security of our ships, and promote an increased prosperity of our commerce.

"*Sept.* 18. "V."

"*To the Editor of the Times.*

"Sir,—I have just read, in *The Times*, this morning, your excellent article on the treatment of seamen. Well, indeed, may you say that it would be a blessing if they had even such an act as Lord Erskine's to protect them from the cruelty of some of the officers.

"In many of the King's ships they are treated worse than dons. I have myself seen what there are called boys (young men 19 or 20) flogged until their shoes were half filled with blood, for the most trivial offences! and all the feeling entertained by the officers at their suffering has been evinced by the cry of "Go on, boatswain's mate!" at the end of every dozen lashes. Any seaman will bear witness to the truth of what I say.

"Will it be believed, in this age of humane feeling, that man requires such treatment to ensure his obedience to lawful commands?

"Your powerful aid only is required, and we shall soon have laws that will check the cruelty of the 'sea-tyrants.'

"*Golden-square, Friday.* "A BRITISH SAILOR."

"*To the Editor of the Times.*

"Sir,—I was much gratified by the judicious remarks contained in the able letters of your correspondents 'T. U.' and 'C. N. N.' in *the Times* of the 16th and 17th. But allow me to offer a few observations on the editorial comments upon the conduct and character of the Hon. Company's service in general, with which you favoured the public in your paper of the latter date, and ask why a slur should be cast upon a nnmerous class of men for the alleged acts of a few?

"Let the stream of justice take its course; but if the fountain is to be polluted by the foul dregs of .ancorous envy, hatred, and malice, now floating on the tide of calumnious clamour, all its ends must and will be defeated.

"I deny the prevalence of using foul language throughout

the service. That threats are necessary, and oaths habitual, amongst officers, in the prompt execution of emergent duty, when circumstances of peril and danger leave no time to study the language of rebuke, I do not deny; but to suppose the minds of sailors so wonderfully changed, or that their feelings are so exceedingly sensitive as to be wound up to a pitch of open and daring mutiny, as in the case of the *Inglis's* crew, by language, however gross, will not be credited by those who possess any knowledge of their character. That threats and abuse should be mingled with national reproach, is exceedingly reprehensible. However, the quarter-deck of an Indiaman is always open to complaint and address; and no defence, however ingenious, can exonerate those men whose grievances are now the theme of general notice, for taking the law into their own hands, setting an example fraught with evils of the greatest magnitude, and subversive of that discipline which, if not maintained on board ship, will lead to acts of bloodshed too horrid to contemplate; and unless the merchant-service is protected by a code of maritime laws, the consequences of that crime will be more serious than the public imagine. Coercion is essential; and even flogging, so unpalatable to present ideas, is absolutely necessary to maintain sufficient authority for the preservation of lives and property; and until some other effectual remedy is placed in the hands of every commander, sanctioned by the laws of his country, how is he to preserve any kind of order for the prevention of theft, continual drunkenness, skulking in times of danger, and other acts of insubordination? The illustrious Nelson, in a letter to his present Majesty, remarked that, in sustaining discipline, "lenity at first is severity at last;" and, in nine cases out of ten, in the British navy and merchant-service, ill-timed forbearance and indecision have been the signal for contempt, disobedience of orders, mutiny, and murder. With respect to manning our ships, this grand point of efficiency is beyond a commander's control, and must remain so whilst the present disgraceful practice of crimping or kidnapping seamen prevails; these most thoughtless beings

are ensnared by a horde of heartless, unprincipled villains, under whose sway they drag out a few weeks most miserable existence, amid scenes of drunkenness and riot, revolting to human nature. Drained of the fruit of their hard-earned labour, they are forced, good and bad, on board an Indiaman, many with forged certificates of character. The ship quits Gravesend, some of these very men have borne the rigid scrutiny of an experienced chief mate, and are the stay of his hope for the ensuing voyage; but, when the articles are presented for their signature, they desert the ship. To avoid demurrage, resort is had to the influence of a crimp, and numbers of the most abandoned characters compose a portion of the crew of a valuable ship, with, at times, passengers, troops, &c. to a number exceeding 650 souls. Picture to yourself, Mr. Editor, a ship void of discipline, with so many lives at stake, on a lee-shore, in a gale of wind, on fire, or dismasted in a hurricane! What part of a ship can be allotted for solitary confinement which will not be detrimental to health? and how can a merchant-ship spare any portion of her crew? and, as to the future, a sailor regards the consequences no more than he does the danger of the tempest or the day of battle.

"Flogging is held legal by the decisions of Lord Stowell and Lord Tenterden; and I appeal to the many unbiassed and enlightened men, who have visited both hemispheres, if the law of imperious necessity does not demand so painful a duty, or if they have not witnessed situations when the well-being of all on board has not been sustained, and danger averted, by this summary mode of punishment, which should be, and I hope always is, the result of impartial inquiry, when justice and mercy have gone hand in hand. With regard to the "towering pretensions" of the Hon. Company's service, I beg leave to observe, that numerous acts of meritorious conduct, displayed by my brother commanders, are neither generally known, nor are they justly appreciated; and, in common with a neglected body of men, I must here declare the disgust we feel at the impolitic conduct of those who framed and

supported a late act of parliament, which deprives a British merchantman of the right of wearing or possessing, under a heavy penalty, the national colours;—under this proud emblem of England's glory, the Honourable Company's service have, under the guidance of skill, courage, and discipline, upheld the honour of that flag, which now, if in the presence of an enemy, they cannot shew: this degradation and infringement on the rights and liberties of a British subject is of the most offensive kind, and yet has been tamely submitted to by those who wield the first and greatest commercial power in the world.

"One word about pensions and rewards, upon which subject you have been misinformed. Petty officers and seamen, after a certain servitude, do receive a small out-pension; and the Hon. Company ought to be in possession of such ample funds as to maintain their high character for liberality, by dispensing, with a generous hand, due means for the comfortable maintenance of their commanders and officers, who, by the rigid march of economy, will speedily be objects of their benevolent regard.

"I grant you that the wages of seamen are too small, but as long as the ruinous and abominable practice of crimping is allowed to exist, no increase of wages will have the full effect of retrieving the once high and noble character of British seamen.

"To take any other notice of such invidious feelings as are evinced by your correspondent 'V.' in to-day's paper, than the pledge I now give to furnish you and the public with such traits of generosity, humanity, skill, and a well-governed discipline, as will dispel the strong feelings of hatred and prejudice which are engendered in the public mind by exaggerations, by that proneness to hearsay evidence, and by confounding the whole Company's service through such partial and unjust sources of information.

"I am, Sir, your obedient servant,

"HORATIO."

"*Cornhill, Sept.* 21*st.*"

"*To the Editor of the Times.*

"Sir,—Having submitted, through your paper of the 15th instant, suggestions for a code of maritime law for the merchant-service, it perhaps would be useful to show upon what principles I conceive discipline should be conducted, by those in command, to produce order and regularity, and upon which principles alone such code of maritime law ought to be founded.

"The term discipline, in its proper signification, is perhaps not so well understood as it ought to be by officers, too many of whom conceive it to be passive obedience to every regulation or order they may arbitrarily issue, however unnecessary to the good of the service, and however wantonly imposed upon the men. The perfection of discipline I conceive to be a system of reasonable rules, adapted to the duties and necessities of the service. Strict obedience to those rules, and a performance of those duties, constitute the virtue of the subordinates, while that of the officer consists in seeing them faithfully executed, and in never exacting more. He should also know what his men are competent to do, and not require any service from them beyond their ability and capacity. He should possess the art of working upon the minds of his crew, and thus facilitate, by calling forth their moral energies, the execution of the duty required. His own conduct should, at the same time, serve as an example and a guide to all; he should never make an unreasonable demand, or deny a reasonable request; his word once given should be sacred, and his eye should perpetually watch over the comforts of those intrusted to his care. An adherence to such rules would tend more effectually than the ostentatious display of power, which is too often exhibited, to retain the men in a sense of their duty, and to make them perform it with zeal and alacrity.

"Were this subject to be taken up by Government, facts could be adduced, from practical experience, to prove the effect which discipline on such principles has accomplished, reclaiming the drunkard, the blasphemer, and the turbulent,

and even leading to the punishment of men by each other for irregular conduct and disobedience to their superiors.

"Your correspondent, 'C. N. N.,' in his letter of the 17th instant, says, 'he cannot follow me on the question of the corporation of the Trinity-house,' which, no doubt, is the fact, from the want of knowledge of the subject, but which ought to be generally understood by every British seaman; being an institution for ascertaining and improving maritime knowledge and science, and making the means known for the general good; instead of which, the veil of mystery and secrecy attached to the transactions of this corporation hides every thing so effectually from seamen generally, as well as from the public, that a public investigation is imperiously demanded.

"I am, Sir, yours, &c.

"*Lloyd's, Sept.* 21*st*. "T. U."

"*To the Editor of the Times.*

"Sir,—I believe an opinion very generally prevails, that the crews of all the China ships sent under convoy of His Majesty's ship *Ariadne* from St. Helena, by the Governor of that island, were in a state of insubordination bordering on mutiny. So far from this being the case, the several commanders remonstrated with the Governor; and the fact that their ships were in a high state of discipline is indubitable.

"I do not hesitate to declare, as my opinion, that as a public servant of the Hon. Company's thought proper to take so formidable a step, and disperse the disaffected seamen of the *Inglis* in irons on board the several China ships, the dignity and importance of so momentous a subject, involving, as it does, the safety and prosperity of our commerce, would have been better and more suitably sustained, had the Hon. Court of Directors proceeded forthwith as prosecutors. If, by such apparent neglect, the crimes of mutiny, desertion, and every other species of insubordination committed on board ships, are

to find their level, good will result from evil; and I hope with confidence the great commercial interests of this kingdom will speedily assemble at their post, and unanimously petition the House of Commons to receive evidence at the bar of their house, in proof of the emergent necessity which exists for an efficient maritime code.

"Another rumour is afloat, that the Hon. Company's commanders and officers are heedless as to the consequences (in a pecuniary point of view) which may result from their own acts of impetuosity, by the resource they all have from an ample fund, supported by subscriptions throughout the service, to reimburse fines and penalties. I declare that no such provision has ever existed during my experience of twenty-eight years in the regular service, and further, that such a display of unanimity has never yet bound us together.

"But allow me to enlighten the public on one subject. Several commanders and officers have been most honourably acquitted at the Admiralty Sessions and Court of King's Bench, after enduring all the taunts and vexations of a preliminary inquiry, and the calumny attendant upon excited prejudice. What has uniformly been the result? The plaintiff is allowed time to escape the punishment due to his audacity and oft-times perjury: the defendant rescues his character from a wanton and malicious attack at the expense of 300*l.*!

"Surely, then, if the course of justice is thus to be turned aside, magistrates should be guided by the character and evidence of the plaintiff, the respectability of his attorney, and other corroborative testimony, ere he issues a warrant. The one party build their hopes upon the probability of success; the other is sure of a serious loss. I was a witness in one case of this kind. Captain Baker, late of the *Lowther-Castle*, presents another: he is a sufferer in purse, though the service owes much to his firmness, by resisting an unwarrantable charge, and he has the only satisfaction that, in two courts, his conduct was pronounced praiseworthy.

"The most comfortable ships in the navy and merchant-service are those which can boast of strict and impartial disci-

pline, where the sailor will say our captain sees that every officer and man do their duty, and when a commander can act under that happy medium of "*Suaviter in modo* and *fortiter in re*," when he rewards merit, punishes with discrimination, and, in a word, does his own duty, and is delighted to see all happy under his command.

"I am, Sir, your obedient servant,

"*Cornhill, Sept. 24th.*" "HORATIO."

"P. S. Insubordination is followed by open mutiny, and frequently leads to piracy; mark the case of the *Cyprus*, as detailed in your paper of yesterday's date. "H."

"The publication of those distressing and disgraceful severities, which have lately taken place on board certain of our East Indiamen, and have been made the subject of proceedings at some of the police-offices, seems to have induced a correspondent to favour us with the copy of a pamphlet, written a few years ago, on the discipline of the Marine of England, and on the treatment experienced, in too many instances, by her seamen. It is a stinging pamphlet, but one which not merely every officer in the navy, but every member of Parliament, and every British statesman, ought to read. The title of the essay is "*An Inquiry into the Nature and Effects of Flogging*," as practised by the Royal Navy and the Merchant Service.

"To enumerate the reasons which operate forcibly against an arbitrary recourse to the above-mentioned odious punishment, would be to compose a volume. Every motive to the avoidance of unnecessary insult, outrage, degradation, and cruelty towards our fellow-creatures, would be embraced in such a work. Every consideration of prudence, policy, patriotism, and benevolence, might and must be urged on behalf of a temperate and kindly exercise of authority over our sailors, if common justice were done to a question of such extreme importance.

"The author does not deal in visions of a moral excellence in officers or seamen unattainable by human nature, or of a separation from men in power of the means of enforcing their commands: he does not press for the peremptory abolition of flogging in the Royal Navy, of which he paints the details with terrible accuracy; but only recommends that it shall be administered, if at all, under the sentence of a regularly-constituted court-martial, so as to secure the seaman from acts of oppression perpetrated through caprice or malice.

"There is no doubt that, in numerous instances, crimes of the most revolting and deadly nature have been committed by the crews of men-of-war. The mutiny on board the *Hermione*, and the piratical seizure of the *Danaë*, which was carried by her ship's company into an enemy's port, are samples of what sailors will sometimes execute; but they are likewise proofs of the dreadful effect of a system of inhuman treatment practised by officers upon these poor men, whose desperate and lawless conduct, it is on record, was in both the above cases provoked (we do not say justified) by the frequent torture of the rope's end and cat-o'-nine-tales, to which they, the respective crews, had been subjected. The following passages, from the little pamphlet alluded to, will convey the author's sentiments on the cases of the two ships in question, as also on those of the *Africaine*, whose seamen *cheered on the fall* of their commander, Captain Corbett, in action; and of the *Howe*, whose log-book is said not to have contained a full and faithful return of the number of punishments inflicted."—*Times, Oct.* 2, 1830.

"We have already expressed our concern and astonishment, that in a country like England, of which commerce is the soul, the care and management of that commerce, under the most critical circumstances which can befall it, should be left to bands of outlaws accidentally packed together, with no recognized bond or principle to govern their mutual relations,

—no tie to obedience on one side, in the nature of legal injunction or penalty, and no sanction of superiority on the other, established by the legislative power: yet such is the true condition of the masters and sailors of our merchant-ships, who are actually without laws to protect or bind them to their respective duties while at sea, and are thus exposed to all the unbridled excessions of passion, exasperated in the officers by disobedience on the part of the seamen, and, in the latter, infuriated by tyranny, which makes up by violence what it wants in legitimate authority.

" This distressing, but most important subject, has, we find, from the letters of our correspondents, attracted a great deal of attention. A meeting was held last Tuesday evening, in the east end of the city, to consider the propriety of petitioning Parliament to institute a code of laws for the better regulation of the merchant-service. Ample, if not altogether temperate, use was made of the *Inglis* and *Lowther-Castle* cases by a rev. gentleman, who opened the proceedings on this occasion: but really, with every disposition (which we have not been slow in exhibiting) to defend the sailor and censure the tyrannical or oppressive officer, we must admit, that the latter, being thrown for support upon his own resources of vigour and intrepidity, in default of legal sanctions, has a most difficult task to execute, and, considering the *average* quality of the crews of Indiamen, must often be tried beyond all human patience.

" However, a petition was agreed to; and, as the question is now likely to be brought in a distinct and formal manner before Parliament, we can scarcely doubt its receiving the fullest, as well as most favourable, consideration.

" An incidental circumstance was referred to at the meeting, which deserves to be noticed, for its connexion with the solid interests of the seaman. It appears that all sailors throughout the merchant-service are liable to the payment of 6*d*. per month, for the support of Greenwich-Hospital, although admission to the Hospital is (with few exceptions) reserved for seamen employed in HIS MAJESTY'S service. This payment

having been objected to, though we doubt with what justice by some individuals, on the score of its being without any chance of an equivalent, so far as the merchant-mariner is concerned, Lord MELVILLE was applied to, in the hope of getting the tax discontinued. His Lordship, however, declined proceeding to that extent, but recommended that the merchant-seamen should contribute a second monthly *6d.* out of their pay, to be bestowed exclusively for their particular benefit, and promised that a fund so created should obtain the sanction and protection of the law.

"To us it seems clear that as the general body of merchant-seamen are those from amongst whom the man-of-war's men emerge, the whole maritime community has a direct interest in the maintenance and support of Greenwich-Hospital; because any individual of them may, if he thinks fit, entitle himself to its advantages, and all sailors are brought up to the profession, having that rule before their eyes."—*Times, Oct. 7th.*

"We find, from communications which we have received from several quarters, that some statements which have lately appeared in this paper respecting punishments in the navy, and particularly on board the *Howe*, when commanded, twenty-five years ago, by a gallant Admiral now high in office, are the same which were made and refuted in the House of Commons in the year 1825. The number and respectability of those communications, as well as our own inquiries, have satisfied us; and we therefore feel in candour bound to state our conviction, that these charges, and the re-production of them, of which our columns have inadvertently become the channel, are wholly unfounded, and, as we see reason to believe, arise from the malice of one individual, from whose pamphlet we quoted them."—*Times, October* 9, 1830.

" *To the Editor of the Times.*

" Sir,—I was, I must confess, much surprised to observe, in your valuable journal of the 2d instant, extracts from a book, the author of which, apparently, chooses to publish anonymously, reflecting upon Sir George Cockburn in the most severe terms. Having had the honour of serving under the gallant Admiral about thirty years ago, when he commanded *La Minerve* frigate, in the Mediterranean, for a period of nearly two years, I cannot notice this malicious attack without stating to you my firm conviction that it is (as it regards Sir George Cockburn) a tissue of falsehood or misrepresentation. I can, from my own personal observation, declare that a braver officer, or one more adored by his crew, never yet entered His Majesty's service. He was at all times anxious to promote the comfort of those under his command, would enter with kindness and condescension into all their amusements, but, like every commander, alive to the welfare of the navy, on every occasion where duty was to be performed, he would see it properly and promptly executed. On one occasion (and the only one) I remember his ship's company expressed very great dissatisfaction with his conduct, and in no very mild language: it was on his refusal to lead them into action, with an enemy double his own force.

" I fearlessly ask, is such a character, beloved as he was by every man on board, at all likely to degenerate into the cruel tyrant, or the unfeeling commander? I therefore consider your Newport correspondent (6th October) as unworthy of notice. In the extracts you have made, it is acknowledged that the entries of punishments in the log-book on board the *Howe*, from July 17, 1805, to February, 1806, are correct as far as they go; but the author proceeds to say, he is ' ready to make oath that the statement does not contain the names of one-half the number of men we saw flogged on board the *Howe*' during the same period. Now, it does appear to me most singular, that the writer should so particularly remark upon every case of the men whose crimes and punishments

were to be found in the log-book, and does not so much as even refer to one instance of those concerning whom he is so ready to swear. Methinks, had he done so, it might have served his purpose better. The attack in *The Times* of the 2d inst. referred to the gallant Admiral by name: would it have been more than an act of justice had your remarks of Friday, the 9th, been equally explicit?

"I have no earthly acquaintance with Sir George Cockburn; and, since the period when I had the pleasure of sailing under his command, his knowledge of me would scarcely amount to recognition. I must therefore be acquitted of every unworthy motive in expressing the gratification I feel that he is indebted for honours, rank, and office, to no other cause but that produced by his own talent and merit.*

"Though I forward you my name and address, I will, with your permission, appear before the public as your obedient servant, "R. B. P.

"*London, October* 13*th*, 1830."

"We published, yesterday, the appeal of the crew of the *Inglis* East Indiamen, containing a detail of alleged severities, their resentment of which exposed them to a charge of mutiny, which has been abandoned. Our police report of to-

* Sir George Cockburn, in command of La Minerve, bearing the broad pendant of Commodore Nelson, fell in with two Spanish frigates, and after a well fought action of three hours, captured the Sabina. The gallant Spanish Captain had but just reached La Minerve, when the Ceres came up and compelled La Minerve to cast off her prize, but, after engaging La Minerve, was beat off. A Spanish squadron now approached and rescued their frigates; Nelson and his brave friend escaped. Such was that hero's admiration of Captain Cockburn's skilful and brave conduct that he presented him with a valuable sword, and released the noble Spaniard, returning him his sword—with all that mind and dignity which blended Nelson's qualities so happily in unison. Shortly after this exploit, the battle of Cape St. Vincent was fought and won. Sir George Cockburn's skilful and gallant services, during the American war, were most conspicuous: he was the terror of the American coast.

day also contains an account of the application made by various seamen to the magistracy for redress. Making all the necessary allowances for ex-parte representations, a state of things is exhibited which strikingly evinces the necessity of some more formal regulation of the discretion which must necessarily be entrusted to the commanders of vessels, and especially to those the crews of which are numerous. We regret to say, that independently of the direct grievance implied by an unnecessary and degrading use of the lash, the deportment of many of our officers, both in the army and navy, to the petty officers and common men under their command, has been too frequently such as to create surprise in foreigners and others, who are accustomed to hear exulting repetitions of the phrase of "free-born Englishmen." Happily, in both services, this tendency to abuse and churlishness is abating; and in the army, in particular, recommendations have been forwarded from authority, materially tending to check a license which, the more men are brought into contact with other services, will the more inevitably render them indignant and dissatisfied. There is the less necessity for this harshness of demeanour in the British naval and commercial services, as the men are usually of that hardy character which neither seeks nor admires a weak and indiscriminate indulgence; on the contrary, the best seamen are generally the most prone to censure a conduct which tends to the discomfort, rather than to the benefit of men of steady character. Strict discipline, however, has no necessary connexion with ferocity and cruelty, and still less with contumely and abuse; neither will it be an impolitic restraint upon discretion to submit it to some salutary and definite restriction. Human nature shudders at the anecdotes recorded of the impunity with which individuals of strong passions have been enabled to persecute men into desperation and suicide, who have excited the spleen and antipathy of a rancorous nature. It is now very generally asserted, that in the East-India Company's shipping more of this caprice and cruelty is exhibited than in the regular service. Possessing a legal kindred license, it

must be displayed, we suppose, to prove its possession. It is useless to dwell upon the policy or impolicy of encouraging that sort of remonstrance to the common sense of society which is made by the crew of the *Inglis*. Sailors, like other men, are becoming alive to the associative spirit of the times, and will every day learn better how to appeal from misused authority to public opinion. To point out this fact is neither to promote or indulge such a disposition, but to intimate the propriety of establishing some intelligible principle to regulate the officer in that most difficult part of command—*self-government*. This is not to assail duly-exercised authority, but to maintain it. A powerful Morning contemporary has preceded us on this subject, in respect to which its columns have supplied some very able correspondence; and we are satisfied, in the face of the joke of the witling, and the sneer of the veteran of a declining school, that if no attention be paid to the apt and kindling spirit of imitation which is becoming observant in this as well as in every other class of British labour, the consequences, at no distant period, will be another mutiny at the Nore, or something similar in character if not in degree. If it be true that the East-India Company's marine service is distinguished by this disgusting petulance of authority, it is high time that that honourable body should tutor its commanders, mates, and guinea-pigs into something like a better counterfeit of genuine authority than what is exhibited in opprobrious language and an indefensible abuse of the rope's end. All this, in the long run, indeed, is self-corrective; but the process is at best dilatory, and, in the sequel, dangerous. Policy, if not humanity, speaks out so forcibly at the present moment, that, with all their tenacity respecting the suttee, we cannot bring ourselves to believe that the magnates of Leadenhall-street will refrain from a due investigation of facts and allegations which so seriously demand their attention.—*Globe.*

Mutinous sailors, who have assaulted their officers. and

neglected their duties, are justified, and march in processions, with flags, vowing vengeance upon their oppressors and persecutors. In time, we suppose, each separate ship will have a constitution of its own—a notable contrivance where the officers are in proportion to the men as about five to a hundred, and where the slightest act of disobedience and insubordination may be destructive to the lives of the whole community. Mutineers must not be confined—sailors must not be coerced—and a captain of a ship will shortly be expected to take off his hat to the watch, and say, " Gentlemen, if you please, that is, if you consider it quite consistent with the principles of Magna Charta and the liberty of the subject, I should feel particularly obliged to you if you would do me the favour to go aloft and take in top-gallant-sails. I would not venture to take the liberty of requesting you to exert yourselves in this slave-like manner, but there seems to me a squall to windward, which, if you do not oblige me by acceding to my request, will, in all probability, carry away the top-gallant-masts." Upon which the watch will forthwith call a meeting, and debate the question. If it should be carried in the affirmative, those who like it will go aloft, those who dissent will stay on deck; and if it should be negatived, upon the principle that the sailors know a great deal more about navigation than the officers, and that the squall will not come near them, and the top-gallant-masts will stand it out if it does, the captain can have no redress, but, like another Charles Phillipe, may walk into his cabin, and invite the few friends he has to dine with him—but punish he dare not.

We would recommend some of the sceptics as to the exertions making in this country to unsettle it, to visit some of the unlicensed lecture-rooms, where money is taken at the doors, but with which the government and the magistrates, of course, are much too liberal to interfere—or, perhaps, a trip to Kennington-Common, to-morrow, would enlighten them. We only say, BE AWAKE.—*John Bull.*

Having been some time engaged by correcting my days' works for *leeway and variation*, the trial of the seamen of the Inglis has transpired; and as the following high authorities on the question of naval discipline will form an invaluable appendage for every seaman's guidance and instruction, I cannot shew them the cause of that discipline better than by inserting such able arguments.

Sir Christopher Robinson addressed the Grand Jury assembled on the occasion. It was, his Lordship observed, upwards of twelve months since he had had occasion to address a Jury in that place; and when such an elapse of time had taken place between the holding of these Sessions, it was satisfactory to know that crimes on the high seas must have been on the decrease. Formerly these Sessions were held twice a year. They might, however, be held oftener, but he mentioned the circumstance to show that such crimes as fell within the jurisdiction of the High Court of Admiralty had become less frequent of late. On the present occasion, however, there were several charges contained in the calendar, all of which were of a capital nature One of those charges was that of piratically seizing a convict ship, bound for Botany Bay, and carrying her into China, from whence the prisoners were transmitted to this country, to take their trial. This charge, however, he felt happy to say was not tinctured with sanguinary cruelty. The other charges had arisen out of Statutes which had passed the Legislature within the last twenty years, for the abolition of the slave-trade; and one of the provisions contained in those acts, rendered it penal for a British subject to be found trafficking in human blood. It would be, in the first instance, necessary that the Grand Jury should be satisfied, that the prisoners were British subjects, for if the fact should turn out otherwise, if the accused should not prove to be subjects of these realms, then they would not be amenable to the High Court of Admiralty. In addition to these charges, there were several others of a minor description, for misdemeanors, assaults, or to use an expres-

sion familiar in the Admiralty Court, of Confederacy. The evidence, in each case, would be laid before the Grand Jury in the usual way, and it would be for them, on hearing such evidence, to determine whether or not the proof adduced was sufficient to place the respective prisoners on their trial, for the offences with which they respectively stood accused. In one or two cases, the Masters or Commanders of vessels were charged with having inflicted corporeal punishment upon a part of their crew. It was his duty here to remark, that a good deal of misrepresentation had gone abroad on this particular subject; and some had doubted the power of the Commanders of merchant-vessels to inflict corporeal punishment. The right was, however, recognised both by this Court and the Courts of Westminster, and if such a power did not exist, it would, his Lordship thought, be utterly impossible that commerce could be carried on. But although this was the case, and that the right of masters to keep their crews in a proper state of discipline was acknowledged as law, still, if a Master or Commander of a ship should inflict, or cause to be inflicted, unnecessary or more than ordinary punishment on any of the persons under his control, he would be amenable for his conduct to the criminal laws of the country. Having addressed to the Jury these few observations, his Lordship concluded by dismissing them, upon which they withdrew to the grand inquest room.

Dr. Lushington then rose to reply. The Learned Counsel said that, notwithstanding the highly coloured and energetic addresses of the Learned Counsel who defended the prisoners, the Jury would still have to decide whether or not, in point of fact, the charge against the prisoners had not been sustained. That the crew of the Inglis were in a state of mutiny on the 6th of June was beyond all question, and it was equally certain that nothing had occurred for several months prior to that period which could have in any way

justified or given rise to the transactions of that day. The cruelty of Captain Dudman and his officers was described in glowing language, and every expression and epithet were resorted to, for the purpose of covering Captain Dudman and his officers with the most unjust odium. The Jury would distinguish, however, between the real and assumed state of the facts. Many circumstances had been introduced into these proceedings which had nothing to do with the case; but the object of mixing extraneous matters with the real question for consideration must be so apparent to every man of common sense, that it would be a waste of time to point it out. A great deal had been said about the cruelty of flogging and starting in use on board ship, but those who know any thing respecting the urgent necessity which existed for the maintenance of proper discipline, would readily admit of the expediency of such punishment, and that no ship's company could possibly be kept under control without them. The right of the Captains of merchant vessels to inflict punishment upon their crews when it was deserved was recognized in the case of the Lowther Castle, by that great lawyer and Judge, Lord Tenterden. There was a decision of Lord Stowell, which took the same view of the subject, and the Court of Delegates, in which three of the Common Law Judges presided, after the fullest deliberation, arrived at the same conclusion. On the law, as applicable to the right of punishment, there could be no doubt whatever; but still he (Dr. Lushington) was free to acknowledge that the practice of flogging, or of starting, ought not to be resorted to but in extreme cases. With respect to the punishment inflicted on the three men in Hong Cong Bay, he thought, and he was sure the jury would coincide with him in opinion, that it was fully justifiable. After adverting to the parts of the case, and the testimony of the witnesses brought forward for the defence, the Learned Gentleman concluded by declaring that, unless the prisoners were convicted of the offence with which they stood charged, there would be an end to the security at present enjoyed of life and property on board vessels employed in the commercial

navy. If the Captain of a ship overstepped his duty, or improperly caused punishment to be inflicted, he was responsible for his conduct, and an individual who might be aggrieved by his act, would find ample redress for any injury he might have sustained by an appeal to a jury through the medium of an action at law. Nothing could, therefore, justify insubordination on board ship, and he was satisfied that the conduct of the prisoners could be looked upon in no other light.

Mr. Justice Bosanquet summed up the evidence with great minuteness and perspicuity. Punishment on board ship, his Lordship observed, had existed from the earliest times, but although the right was acknowledged by law, it still ought to be inflicted only with moderation and temper. On board ship there was no acknowledged judicial tribunal or authority for the purpose of trying parties charged with offences; but a discretionary power on the subject was by law invested in the masters, which they might exercise on their own responsibility, especially where the discipline of their crews were concerned. Punishment ought to be inflicted only in extreme cases, and that the master of the vessel should act under the advice of the officers immediately under him in command; in the first place, to prevent the operation of any vindictive or improper feeling that by possibility might exist in his own breast; and in the next, in order that he might have witnesses to speak to the propriety of his conduct. His Lordship next explained the legal interpretation of the words mutiny and riot, and pointed out the distinction between these offences. When the crew of a vessel confederated to deprive the master of his command, they were, beyond all question, mutineers; but where three or more seamen acted in concert to carry into execution a design, whether legal or illegal, which was calculated to occasion either intimidation or terror, they were guilty of a riot. If, therefore, the jury should not be satisfied that any conspiracy

or confederacy had existed in the present case, still it would remain for them to consider whether the prisoners had not committed a riot, by assembling together and resisting, in the manner described in the evidence, the orders of their Captain. His Lordship, in conclusion, recapitulated the testimony of the several witnesses, and left it to the jury to say whether or not the prisoners had been guilty of either of the charges alleged against them in the indictment. His Lordship concluded his address at ten o'clock, and the jury having expressed a wish to retire, an officer was sworn, in the usual manner, to keep them, in private, from all communication from without.

The jury returned into Court at half-past one o'clock, when their foreman said that, to prevent mistakes, they had reduced their verdict to writing, and accordingly read as follows: "That they acquitted John Murray and John Harrison on all the counts contained in the indictment; but that they found John Lally, John Jordan, Samuel Rose, John Steele, George Wells, Samuel Cole, John Carter, and Maurice M'Cannon, guilty of riotously assembling on the poop of the vessel, on the 6th June, for the purpose of releasing John Lally from confinement, and of the assault upon the Commander of the ship; but, under all the circumstances of the case, they were induced to recommend the prisoners to the merciful consideration of the Court."

Sir C. Robinson having addressed each of them by name, told them that they had been indicted for conspiring to resist the lawful authority of their commander, and also for having riotously assembled and assaulted him. A jury of their country had acquitted them of the more serious part of the charges alleged against them, but had found them guilty of the 5th and following counts in the indictment. They had heard their defence urged with as much zeal and ingenuity as

could be brought forward in their behalf; but they had not heard until now that the general character of their defence was by no means a sufficient justification for an attempt to carry the ship. He (the learned Judge) was bound to say that very little of what had been proved could be pleaded in justification of their conduct. They had heard the law upon the case laid down, that the offence of mutiny could not be justified by the plea which they had set up. He hoped that the erroneous impression which they had imbibed upon that point would be usefully appreciated by them, and that they return to the paths of duty which they appeared to have deserted for a time, with the firm determination to profit by the lesson afforded by this trial. The Court could find no justification in the character of their offences. They had stood upon the brink of a much higher crime than that for which they would have been indicted, and it was owing to the forbearance of their master that they had not been so charged.* The Court had now the painful duty of apportioning the punishment which was due for their misconduct, and in doing so, it was desirous of paying all possible respect to the suggestion of the jury. The Court considered, also, that they (the prisoners) had been held in confinement since their return from the Cape, and wishing further to see them to return to their livelihood at as early a period as possible, the Court felt anxious that the meed of punishment should be as light as circumstances of the case would allow. The sentence of the Court was, that they be respectively imprisoned in His Majesty's gaol of Newgate for the space of two calendar months, and at the expiration of that period they each be directed to pay a fine of 1*s.* to the King, and that their imprisonment be continued until the fine be paid.

* The danger alluded to by Sir C. Robinson was the charge of *mutiny*. Had the prisoners been tried for the capital offence, the evidence was sufficiently strong to have convicted them. What other construction can be put on the seizure of the tool-chest, the iron-hoop story, and the tap on the Captain's shoulder, and three cheers?

Those who are not accustomed to be cross-examined are easily thrown off their guard; and I think it necessary, for the character of the service, to explain why the boatswain and his mate are relieved, when inflicting punishment with the cat-o'-nine-tails. In the first place, it is the custom throughout the navy and the East-India service. The boatswain generally gives the first dozen, the master-at-arms calling aloud each lash. For minor offences, the boatswain is, in some ships, not called upon: the second dozen is inflicted by the first boatswain's mate, and so on. However, I have scarcely ever seen more than three dozen, perhaps twice I have known four dozen given for very serious offences, which I consider a severe punishment. But I deny that it is the practice to relieve the boatswain or his mates through a desire to punish with greater severity. The operation has, nine times out of ten, the contrary effect; the boatswain being more independent of the crew, does his duty fearlessly, and punishes more severely; whereas, the boatswain's mate is one of the ship's company, and may have to flog his own messmate. Besides, the custom is continued upon that unerring principle of discipline which portions to each officer and man his duty.

The evidence given by the surgeon of the Inglis will be corroborated by every one who has witnessed flogging at the gangway; the effect produced by the cat is *bruising;* and the only blood drawn is where the end of the tail sometimes cuts in; and I delare I never saw a drop of blood trickling down the back of any man. But, let me ask again, are thieves, mutineers, miscreants guilty of stabbing, and other crimes, as fully proved to have occurred on board ships, to escape without receiving some severe and powerful punishment? The object of punishment is pain, and the check to crime is punishment. Flogging ought, doubtless, to be the last resource; but, I hope, I have thoroughly established, not only the necessity of corporal punishment, but its efficacy. Decision and firmness have never yet failed: and it is better to cut a man down than to give up one plank of the quarter-deck to revolt and mutiny. There are no limits to disaffection; and, although the crew of the Inglis did not resort to extremities,

there is no knowing what they might not have attempted had not strong measures quelled their bad spirit at St. Helena; and what may not be attempted by other seamen, influenced by their example, remains to be proved!

I never knew a cat-o'-nine-tails in use with *knots*; nor have I ever heard of such a one being used in the East-India Company's service.

I must observe that when the high order of the Honourable Company's ships comprising the China fleet of last season, is named, it must be explained that a most refractory and disorganized spirit pervaded the *seamen* of that fleet, which was only kept under subjection by the skill and exemplary conduct of the several *commanders and officers.* Many daring attempts were made to subvert order and discipline, and on board several ships, outrageous behaviour was subdued by firmness and spirit. The crews of some ships swore, over *a ring bolt*, which I understand is a most solemn obligation, to resist flogging by every means in their power: this turbulent spirit is more prevalent than the public are aware of.

It is a subject of self pride to gather from such high and infallible authorities, as already quoted, that the principles I have advocated in this work are not speculative opinions. The following sentiments, from the able pen of a ready writer, strengthen my arguments, with which I conclude the valuable addenda to my laborious pursuit in the cause of naval discipline. Commenting on the bias lately given by the press to the cause of disaffected seamen the author observes:—

"One consequence of the mischievous meddling to which we have alluded is already apparent in the general alarm created amongst the mercantile interests by the encouragement given to the mutinous and litigious conduct of the crew of the Inglis, and other vessels in the Honourable Company's Service,—an alarm far from ill-founded, and the causes of which, unless speedily removed by the recognition of some especial code of discipline, or law for the Merchant-Service, tend to strike at the root of our commerce and our greatness. We doubt much, whether there can really be persons so

ignorant or infatuated, as to fancy that those who "go down to the sea in ships, and occupy their business in great waters," are to be guided and governed by the costly, uncertain, and tedious tissue of quibbles called in this country "Common Law." How edifying to contemplate a Skipper, ploughing the seas of another hemisphere, surrounded by a crew of "Sea Attorneys," expounding to his patient ears the point of law upon every order he might think fit to give, or every chastisement he might find it necessary to inflict!

"It is remarkable that, while the *general* welfare of the British Navy and Army is excluded, "upon principle," from any share of the consideration or patronage of that portion of "The Press" to which our remarks apply, not a SCAMP of either service, who meets his just deserts, but at once becomes, by virtue of his vice, its pet and *protegé!*

"A gang of refractory seamen attempt to excite a mutiny amongst several East Indiamen, so as to render it expedient to send a King's ship to convoy them from St. Helena to England. Arrived at home, these fellows became of course invaluable to "The Press," from which the case of the interesting victims elicits much maudlin eloquence upon the Rights of Man and Nautical Ethics.

"Professing, and we trust proving, our earnest and uniform desire to promote the true interests and honour of our comrades of all ranks, it is enough for our present purpose to observe that peculiarity of organization and duties will naturally seem to require a peculiar system of reward and punishment;—that the practice of flogging, adopted from no light or cruel motive in the British service, was borrowed, after all, from the Statute Law of the land, which was immemorially awarded, and still inflicts, the sentence of whipping for a variety of offences:—that it is now never resorted to, except as a last resource, where all other means have failed of reclaiming the offender; or where, from a degree and character of the offence, no alternative is left;—that crimes are punishable in this mode by martial law, to which the civil code attaches the penalty of DEATH; and that a soldier or

sailor might equally incur the sentence of flogging from a court of justice, as from a court-martial. Good men have nothing to fear from the severity of a punishment, only held *in terrorem* over the heads of bad subjects, from whom the former, as well as their officers and the public, must be protected: finally, the men themselves are generally sensible of its necessity in such cases and for the general good. This fact was evinced in the Navy on the memorable occasion of the mutiny at the Nore, when, so far from its constituting a grievance, this species of punishment was inflicted with tenfold severity by the delegates themselves!

"As for Jack—the gay, the frank, the hardy man-of-war's-man—he is now as zealously and considerately looked after as his brother of the red—but remains in the main, we hope, unchanged and unchangeable,—innocent as a lamb,—brave as a lion,—and true as a needle:—so may he flourish, 'Winning each heart and delighting each eye.'"

The next article, on flogging round the fleet, contains a passage so congenial to the feelings of every humane officer, that it is well worthy attention:—

"The impolicy of this kind of punishment is evident. Should the criminal have committed the worst of crimes, the infliction of *protracted* torture is not likely to amend his morals, nor to improve those of the spectators. *The extremity of the suffering destroys the force of the example!* Instead of producing a dread of the crime, it produces pity for the criminal. The proper end of punishment is hereby defeated, and disgust is excited against a profession in which such barbarities are perpetrated. If the criminal supports his agonies with fortitude, his conduct is witnessed with admiration; if he sinks under the lash, every one commiserates his sufferings. Johnson has wisely observed of such punishments—'His crimes shrink to nothing compared with his misery; and severity defeats itself by exciting pity.'

"If flogging round the fleet fails, therefore, to operate beneficially upon the minds of the seamen in general, its effects are more objectionable as relates to the criminal him-

self. A slight alteration in a beautiful stanza of Burns might make the passage very applicable.

"I waive the quantum of the sin,
Such cruelty revealing:
But, oh! it hardens all within,
And petrifies the feeling."

United Service Journal, Nov. 1, 1830.

Although I may be charged with vanity, yet I cannot withhold the following gratifying letters; a rich reward for some attentions bestowed on those in need; and may say to all in similar circumstances, "Go, and do thou likewise." But I beg to observe that, were my brother officers less diffident I could have marked the general character of the service by other and more deserving testimonials.

To Captain CHRISTOPHER BIDEN, *commanding the Honourable Company's Ship* ROYAL GEORGE.

Kedgeree, Bengal, April 15, 1823.

My dear Sir,—Before we separate to our respective avocations, allow me to acquit myself of one of the last (though not least) satisfactory parts of my duty, in communicating the sentiments which prevail towards you in the breast of every individual under my command.

There can be but one feeling among us—that of gratitude; and I hereby, in the name of the officers, non-commissioned officers, and privates, composing the detachment of recruits on board the ROYAL GEORGE, beg to offer our sincere and unqualified thanks for your unremitting attention to our comfort and accommodation from the period of our embarkation to the present moment.

The women, likewise, of the detachment, seventeen in number, with their children, have come forward, begging me to express, if possible, their feelings of gratitude for your attention—not only to their comfort in every possible shape, but for luxuries and superfluities which were not unfrequently distributed with a liberal hand.

We all pray, that you may live long and happy; and (in

the speedy acquirement of a princely fortune) that you may meet the reward of a strict and unwearied attention to your duty, and the interests of our employers, and of your liberality and kindness to such of their military servants as may have the good fortune to be consigned to India under your charge.

I remain, my dear Sir,

Yours, faithfully and sincerely,

H. SANDYS,

Commanding the Detachment of the Honourable Company's Recruits on board the ROYAL GEORGE.

To Captain CHRISTOPHER BIDEN, *commanding the Honourable Company's Ship* PRINCESS CHARLOTTE OF WALES.

Trincomalee, August 12, 1825.

My dear Sir,—Although it is almost superfluous to offer you any further acknowledgement for the unsparing liberality with which you distributed the best things in your ship to the soldiers, women, and children, of the 97th Regiment, when you thought they required them, having had that pleasure often on witnessing those attentions, still I cannot part with you without this last tribute to a character so difficult to be met with, and so much to be esteemed. I beg you will, therefore, permit me, in the name of every officer and individual of the corps entrusted to your care on our late happy voyage, to repeat our thanks, and to request you will keep this letter as a memento of the friends you have parted with, and who will be always delighted, when your duty brings you to this part of the world, to renew and keep up the attachment they all feel for you. May your voyage home be as prosperous as you deserve, and may every happiness await you on your return to your interesting family, is the sincere wish of yours, most truly,

C. HAMILTON,

Lieutenant-Colonel, 97th Regiment.

To CAPTAIN C. BIDEN.

ADDENDA.

H. C. S. Rockingham, Captain J. A. Blanshard.

1792. On the outward voyage to Bombay, the Honourable Company's recruits became very refractory. Captain Blanshard was so decidedly averse to flogging, that, this feeling being easily understood, contempt and insolence followed; and, to prevent open mutiny, about thirty recruits were placed in irons, on the poop, in prisons purposely built there, with gratings for light and air. This system was persevered in for about four months, from the Rockingham passing Madeira until her arrival at Bombay, when the delinquents were delivered over to the government. There were 400 recruits, and no military officers, on duty, on board this ship.

The present Rear-Admiral, Samuel Peter Forster, was second officer, and Captain Prescott, the East-India Director, was fourth officer of the Rockingham.

Surely it will be allowed that, if the ringleaders of this insubordination had been punished at the gangway, such means of coercion would have been preferable to cooping them up in cages for such a length of time, besides so horrible a nuisance as these prisoners must have been to every one on board.

H. C. S. Princess Charlotte.

Captain C. E. Prescott (E. I. Director) had the honour of conveying to India the Hero of Assaye and of Waterloo! Colonel Arthur Wellesley commanded the gallant thirty-third, and the grenadiers embarked with him, on board the Princess Charlotte. I may safely appeal to his Grace the Duke of Wellington, for his opinion of the discipline and efficient order on board the Honourable Company's ships.

On the following voyage, May 30, 1798, a mutiny broke out on board the Princess Charlotte, which was, fortunately, discovered in time to prevent serious consequences. Captain Prescott consulted his sworn officers, and principal passengers, who were unanimously of opinion that it would be prudent to put into the Cape, and deliver the ringleaders over to martial law. Prompt measures checked the evil designs of the mutineers, who had dared to train the foremast guns, loaded them with grape-shot, and pointed them aft, which seems to have been a grand preliminary shew of defiance in those days. The first decided step they took was to seize the captain's dinner. Captain Prescott assembled his officers and passengers, and said, " gentlemen, there is your dinner, but before you get it you must fight for it." No sooner said than done; the ship's company were charged, dispersed, the ringleaders secured, and the officers and passengers remained under arms, until the Princess Charlotte came to an anchor, in Simon's Bay, alongside the flag-ship, H. M. S. Sceptre, (74,) Admiral Christian, which was at seven, p. m. on the same day. Captain Prescott reported the state of his ship immediately, and the Sceptre's boats rowed guard round the Charlotte all night, and, on the following morning, a guard of marines took the mutineers out of the ship.

Extracts from the Log-Book of H. C. S. Princess Charlotte.

May 30, 1798. " A premeditated mutiny being discovered, Captain Prescott held a consultation of sworn officers; Mr. Clerk, Major Hart, and Captain Crosby, (passengers,) it being unanimously their opinion that we should go into the Cape; shaped a course accordingly.

At 7, p. m. came to an anchor in Simon's Bay, a-breast the flag-ship.

Monday, June 4th, at 8, a. m. H. M. S. Sceptre made the signal for a Court Martial, which was held on J. Mills, (quarter-master,) W. Gutheridge, and J. Newberry, (boatswain's mates,) and W. Laws, seaman, the principals concerned in exciting the mutiny on board, on the morning of our arrival

in the Bay, Captain Prescott, the first, second, fourth, fifth, and sixth officers attended to give evidence.

June 5th. At 8, a. m. H. M. S. Sceptre, made the signal for the Court Martial; attended as yesterday.

At 11. The Court not thinking they possessed competent power to try the above mentioned prisoners by a Court Martial, it was dissolved.

June 15th. H. M. S. Sceptre made the signal for a Court Martial, Captain Prescott and his officers attended as before.

Extract of a letter from John Pringle Esq., to the Honourable the Court of Directors, dated Cape of Good Hope, 12th July, 1798:—" The Princess Charlotte, Dover-Castle, Good Hope, and Walpole arrived in Simons' Bay, on the 30th May, and 5th ult.; the first of these ships in consequence of the mutinous state of her crew.

" The very serious nature of the charges against the men of the Princess Charlotte induced Captain Prescott to apply for a court martial of naval commanders to try them; this was readily granted, but after it assembled, the captains composing it stated doubts as to their competency to try the prisoners, principally because *they had not been kept in confinement*, by which they interpreted in *irons until they were brought to trial*. The reason alleged in justification of such deviation from the strict letter of the act was, that the mutineers were almost the whole of the ship's company.

" Admiral Sir Hugh Christian was decidedly of opinion the court should proceed, and Lord Macartney was of the same, but what was the highest authority was Mr. Holland's opinion, the Judge of the Admiralty, which he gave at length, in writing, corroborated by that of Sir Thomas Strange, who was here at the time. The captains re-assembled and, after sitting a whole day, came to a similar determination. Nothing remained but to apply to Lord Macartney to open a commission of piracy, and try them by it: this was done and every preliminary gone through, when the Admiral and Post-Captains protested against sitting according to the rank assigned them in the King's commission, which constituted the Court of Admiralty and which was—

"1st. Lord Macartney, or the Governor for the time being.
"2d. Major-General Francis Dundas, or Lieutenant Governor.
"3d. The Judge of the Admiralty.
"4th. Mr. Barnard, or Secretary to Ditto.
"5th. Sir George Keith Elphinstone, or the Commander in Chief by sea, all Admirals, Vice and Rear Ditto, and Post-Captains.

"The Admiral claimed rank before the Judge of the Admiralty, and the Captains before Mr. Barnard, supporting their claims on the acts of the 10th and 11th of King William III. on which the King's Commission was grounded, but from which they maintained it had illegally departed, by assigning a different order of precedency to that contained in the body of the act. Lord Macartney would not enter into any discussion, but rested merely on the authority of the commission which he could in no degree change.

"The Admirals and Captains withdrew, protesting against all proceedings of a Court of Admiralty of which they did not form a part. Lord Macartney called in (as directed by the commission) three merchants or mariners, British subjects, and the trial went on, and ended on the 5th instant, by three of the mutineers being found guilty, and sentenced to death, an event, melancholy in itself, that will, I trust, have a very beneficial influence on the future discipline of your ships.

"Captain Smith, of the Honourable Company's Ship Minerva, having been one of the members of the court, will afford you every information you may require on this subject.

"I cannot here avoid once more pointing out to you what occurred to me at the trial of Mr. Reid, second officer of the King George, and that is, the propriety of your ordering copies of such acts as relate to Piracy, Mutiny, and Punishment of Crimes committed on board Letters of Marque, to be furnished to each of your ships, and that they be read and explained frequently to the crews, for I firmly believe that were the men better informed on that head they would not behave in the way they often do, whilst they imagine that no serious punishment attaches to their conduct, unless they are on board a ship of war.

"Ignorance of a law cannot certainly be pleaded in justification of a breach of it, yet a feeling mind will allow it some weight, and, at all events, acquiesce in the propriety of rendering the knowledge of penal statutes as general as possible.

"Gentlemen passengers on board 22
"Ladies 5
"Women and children 15
"Troops H. M. 12th regiment 51

"The officer sent in charge was left at Portsmouth unfit for duty.

"Honourable Company's ship Princess Charlotte was detained at the Cape until the 9th of July."

The three seamen condemned to death were reprieved, and the sentence commuted to eighteen months imprisonment. This mitigation was chiefly owing to the opinions which had been agitated respecting the proper tribunal and the members which should compose it.

By a reference to the log of the Princess Charlotte it appears, the utmost leniency was in force throughout the voyage; offenders were punished at the gangway with one and two dozen lashes, and several guilty ones were pardoned publicly on the quarter-deck, in observance of that attribute of justice, discrimination and discernment of character. The crew of this ship alleged no grievance in their defence. The attempt at mutiny was one of the "signs of the times," when the turbulent spirit amongst sailors knew no bounds.

The prompt and judicious measures pursued by Captain Prescott, and the cool deliberation which guarded against violence, reflect the greatest credit on the steady show of authority and discipline, preserved by himself, his officers, and passengers. Their proximity to the Cape was a most fortuitous event, and the beneficial effects of such conduct, the decision of the Court Martial, and the powerful example, thus instilled, may best be appreciated by the zeal and alacrity with which the crew of the Princess Charlotte did their duty for eighteen months afterwards, under the same commander and officers.

It is true, Captain Prescott felt every confidence, in the

ample power at his disposal, to subdue the mutiny, had the refractory ship's company renewed their attempts; but would it have been wise or prudent to proceed on a voyage with such disaffection lurking in the minds of so large a majority on whom the duty of the ship devolved? As there can be but one opinion as to the propriety of his bearing up for the Cape of Good Hope, the deviation of the voyage and ulterior consequences of the lawless state in which seamen then were, and still are, must command due consideration.

The loss of six weeks to an Indiaman on her passage to India, is the loss of the proper season, and, in the case of the Princess Charlotte, protracted her arrival, and rendered her liable to encounter heavy equinoctial gales at the head of the Bay of Bengal, and near the Sand Heads, where many ships and crews have perished; besides, the expenses attending such detention are very heavy. When employed as a man-of-war, there were embarked on board the Princess Charlotte, 176 officers and soldiers of the European regiment to *serve as marines, by orders, from Admiral Rainier*, 54 of his Majesty's 84th regiment, and 55 of the Honourable Company's artillery, disembarked on the island Babelmandel—Red Sea.

Dec. 9, 1798.—"Called all hands, and read the Right Honourable Earl Mornington's letter in council, relating the order of encouragements and the commissions of Captain Charles Elton Prescott, and the first, second, and fourth lieutenants.

Dec. 10, 1798.—"Mustered the ship's company, and read the third lieutenant's commission."

His Excellency Earl Mornington, K. P. Captain-General, &c. partook of a public breakfast on board the Princess Charlotte, when ready for sea, and expressed his approbation at the zeal which prepared that ship for service, invited Captain Prescott and his officers to dine with him, and on the following day she dropped down the river. The Princess Charlotte mounted 38 long 12-pounders, and was manned with 300 men. She was chiefly employed as a cruizer in the Red Sea and on the Malabar coast, under Admiral Blanket,

protecting convoys of transports during that memorable campaign, when Sir Sidney Smith frustrated the gigantic schemes of the conqueror of Italy; and when the glorious victory of Alexandria, and the triumph dearly bought by the brave and lamented Sir Ralph Abercromby, closed the *chance* of war in Egypt, the gallant Sir David Baird and the Indian army landed on the shores of Africa as a powerful auxilliary, and gave a lesson to our insatiable foe, that England was always ready, armed and prepared at all points, to resist aggressions, to protect the weak, and to maintain the supremacy of her invincible flag!

Captain Prescott rendered essential service, by the assistance he gave several transports, full of troops, in a sickly state, and short of provisions. Lord Mornington and the Bengal government rewarded his services by a gratuity of £1000; and the Court of Directors awarded him the liberal sum of £2000, and bestowed proportionate donations to the officers and seamen.

The Princess Charlotte was employed as an armed ship from December, 1798, until November, 1799. The honourable Company's ship Earl Howe, Captain Burroughs, was also taken up, on a similar service.. The East-India Company remunerated all their commanders and officers thus employed, with munificent care.

Honourable Company's ship Alnwick-Castle, Captain C. E. Prescott, during two successive voyages in 1806 and 1808, had on board about 500 King's troops, and landed the whole at Madras each voyage, after a passage of four months. It is well known, at the Horse Guards, that the excellent regulations framed by the soldier's best friend, His late Royal Highness the Duke of York, which protects the soldier with every care and comfort, combined with the unremitting attention paid to health and cleanliness, by fumigation, by medical care, luxuries from the captain's table, &c. on board the Company's ships, has produced the most salutary effects; in fact, the casualties on board East Indiamen are in less proportion than those on shore.

"Who can deny just tribute to the brave?
Who risks his life, his all, for man to save!"

Stanzas, by Mr. Eastlake, of Plymouth, occasioned by Sir Edward Pellew's humane and magnanimous conduct, at the wreck of the Honourable Company's ship Dutton, Captain P. Sampson, in a most tremendous storm, with 500 souls on board, men, women, and children, on the 26th of January, 1796. The Dutton had been compelled to bear up for Plymouth, from the prevailing sickness of the troops on board.

"While o'er the reeling wreck, the savage storm
Pour'd all its lightnings, thunders, blasts, and hail,
And every horror in its wildest form,
Smote the firm hearts that never knew to fail.

"'Twas thine, Pellew, sublimely great and good!
Man, man! thy brother in distress! to dare
The dreadful passages of the raging flood,
And join the frantic children of despair.

"There, it was thine, in comfort's balmy tone,
To soothe their sorrows, 'mid the tempests roar;
To hush the mother's shriek, the sick man's groan,
And bear the suff'rers trembling to the shore!

"So when this mighty orb, in dread alarm,
Shall crash in ruins, at its God's decree!
The saving Angel, with triumphant arm,
Shall, from the wreck of all things, rescue thee."

The hero of Algiers, he who earned such envied laurels by those brilliant frigate actions in the Cleopatra and Indefatigable, eclipsed his warlike fame by the above matchless exploit in humanity's cause. The East-India Company presented Sir Edward Pellew with a piece of plate, value 500 guineas, for his noble conduct; and I venture to say, through all the vicissitudes of Lord Exmouth's able, gallant, and splendid career, a grateful remembrance of his generous conduct to the officers, soldiers, and crew of the Dutton presents the most cheering and heartfelt satisfaction.

CONCLUSION.

"Persevere" is my motto.—By dint of perseverance, during the close of last year and the early part of this, I travelled from Calcutta to the Himalaya Mountains, and feasted upon the most magnificent scenery in the world,—Nature's stupendous works,—the loftiest chain of mountains in the known universe. I visited the famed cities of Benares, Lucknow, Delhi, and Agra; the military stations of Allahabad, Cawnpoor, Secrora, Bareilly, Meerut, Saharunpore, Deyrah, Dhoon, Landour, Muttra, Deeg, and Bhurtpore, a distance of twelve hundred miles each way.

This tour occupied eleven weeks; and my principal object, in noticing so novel an adventure in a sailor's monotonous life, is to take this opportunity of expressing my unbounded thanks and gratitude for that frank and courteous hospitality which every where welcomed me to a home; the kindness and liberality which I met with exceeds my powers of description, and leaves an impression of friendship and esteem, which can never be effaced. The enlightened and meritorious civilians, the zealous and gallant officers of his Majesty's and the Honourable Company's service, merit every reward, every possible encouragement, which the beneficent hand of government can bestow: and when it is considered how large and how numerous are the privations attendant upon life in India, it will be conceded, that a liberal policy is the safest and best;—such has ever guided the councils of the Honourable the East-India Company, and such as, I hope, ever will.

Zeal and perseverance have swelled these pages far beyond my expectations; but I feel confident that the maritime interests of Great Britain require the most powerful advocacy; and inexperience in naval affairs can only be guided by facts

of which I can satisfactorily boast of having produced an abundant store.

"A genius and great abilities are sometimes wanting, sometimes only opportunities. Some deserve praise for what they have done, and others for what they could have done."—*Bruyere.*

I wish to apply this maxim to those who have the opportunity in both Houses of Parliament to stand forward as the champions of maritime rights and liberties.

The signs of the times summon every loyal man to his station;—let "Vigilance" be our watchword.

"England is a land which can never be conquered, whilst the kings thereof keep the dominion of the Sea."—*Raleigh.*

"England never did, nor never shall
Lie at the proud feet of a conqueror."—*Shakespeare.*

Let these inspiring sentiments of an ardent friend to his country's renown reanimate every true Briton.

"The spirit of your fathers
Will start from every wave,
For the deck it was their field of fame,
And ocean was their grave.
Where Blake and mighty Nelson fought,
Your manly hearts will glow,
As you sweep thro' the deep,
While the stormy tempests blow,
While the battle rages long and loud
And the stormy tempests blow.

"Britannia needs no bulwark,
No towers along the steep;
Her march is o'er the mountain wave,
Her home is on the deep.
With thunders from her native oak,
She quells the floods below.
As she sweeps thro' the deep,
While the stormy tempests blow,
While the battle rages long and loud,
And the stormy tempests blow."

Campbell.

THE END.

MARCHANT, PRINTER, INGRAM-COURT.





